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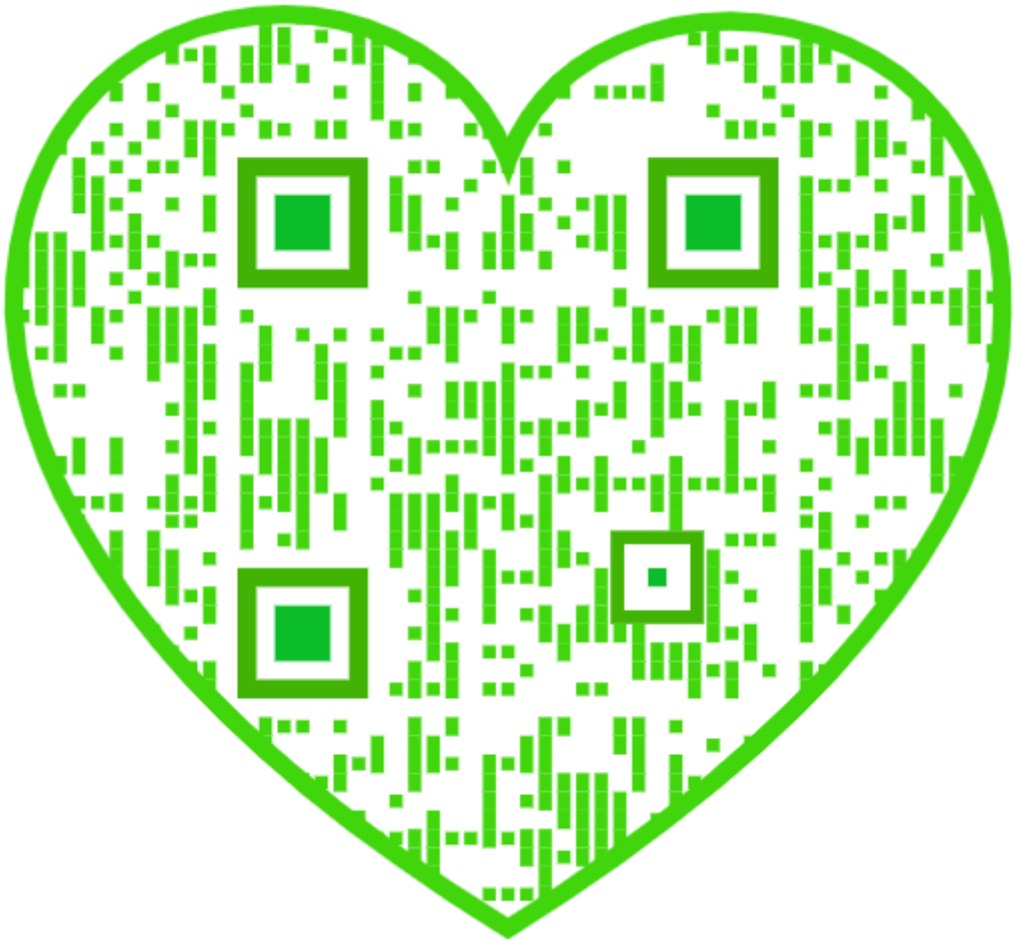
The American Republic



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The American Republic

A Dramatization of the History of the United States in Six Acts

By C. W. Wallis

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PREFACE

The American Republic is a dramatization of the political history of the United States of America from the Declaration of Independence, July 4th, 1776, to the present time.

The purpose is to present in dramatic form the great events of our history in a manner that will inculcate in the minds of the American youth the true principles of Democracy and to arouse them to a conscious fact that they are citizens under the best system of government on earth; that the American Republic has a STANDARD GOVERNMENT that is the best, not only for America, but that it is the only form of government that has ever worked successfully or that ever will work as well for all civilized peoples of whatever conditions or numbers from a few thousands to many millions.

This dramatization also shows the development of our country thru its Oratory, Statesmanship, Music, Poetry and Dramatic Art; whether in the Cabinet, in Congress, in the Forum, in the Pulpit, in the Studio, or on the Platform, on the Stage or on the Screen.

It is not intended to supplant but to be used as an auxiliary to the text books of United States History in our public schools and colleges. To this end the several acts or episodes are adjustable and suitable for different occasions for entertainment; scenes or parts of scenes may be drawn to greater length or shortened or even eliminated.

Only for an elaborate stage production need costumes or scenery be required; they very often detract from the real purpose and object to be attained; rather concentrate on the importance of voice training, dramatic action, and the cultivation of the imagination, the creative faculty.

The characters in the cast for this production may include all grades of school children from the

"tots" to high school students, and may number from six or eight to many hundreds, affording an active part in Oratory, Recitation, Essay, Song, Dance, Pantomime, Parliamentary Drill, Debate and Dramatic Art for every pupil in any school or college in the United States of America or any other nation in the world.

Peoples of all nations are now studying, as never before, Forms of Government, and it is for us and our children to be prepared to show that we enjoy the highest liberty, the widest freedom, under the best laws, for the reason that we have the best form of government on earth.

The American Republic

ACT I

Scene 1. Congress assembled in the State House, Philadelphia, Penn. John Hancock, President.

Time: July, 1776.

(After rise of curtain Mr. Jefferson makes a motion to appoint a Committee of five to draft a Declaration of Independence. This motion is seconded by John Adams. The motion is then put in due form and is carried. The President appoints on that Committee:)

Thomas Jefferson of Virginia.
John Adams of Massachusetts.
Benjamin Franklin of Pennsylvania.
Roger Sherman of Connecticut.
Robert Livingstone of New York.

These persons rise when appointed and file out into an adjoining room as the

CURTAIN FALLS

Scene 2. A room in the State House, Philadelphia, Penn.

(Thomas Jefferson, President of the Committee, calls the meeting to order and takes from his pocket a copy of the DECLARATION OF INDEPENDENCE and reads the first two sections than stands and pantomimes reading on.)

At the same time the Committee on ARTICLES OF CONFEDERATION, having been appointed a little before the Committee of Declaration of Independence was appointed, are holding a meeting in an adjoining room on stage one of their number reads:

"Articles of Confederation and Perpetual Union between the States New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

ARTICLE I

The style of this confederacy shall be "THE UNITED STATES OF AMERICA."

The Committee on Declaration of Independence break in and Thomas Jefferson continues:

"Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and, accordingly all experience hath shown that mankind are more disposed to suffer while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed."

Thomas Jefferson continues in pantomime but not heard as the one reading the articles in the other section continues.

Josiah Bartlett:

"Article V. Section 1. Congress shall meet on the first Monday in November every year.

"Section 2. No State shall be represented in Congress by less than two nor more than seven members.

"Section 3. Each State shall have one vote."

Jefferson Continues Reading the Declaration.

"But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government and to provide new guards for the future security."

Committee on Articles continues:

"Article IX. Section 5. In recess of Congress 'A Committee of the States' of one delegate from each

State, shall sit instead of Congress and appoint one of their number to preside.

After this is read aloud and while the other Committee is being heard the members of this Committee may pantomime debating and voting on this Article, a majority voting for it.

Jefferson:

"Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their systems of government."

Committee on Articles:

"Article XI. Canada, acceding to this Confederation, and joining in the measures of the United States, shall be admitted into and entitled to all the advantages of this Union: But no other colony shall be admitted to the same, unless such admission be agreed to by nine States."

Jefferson:

"We, therefore, the representatives of the UNITED STATES OF AMERICA, in congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by the authority of the good people of these Colonies, solemnly publish and declare that these United Colonies are, and of right ought to be FREE and INDE PENDENT States. . . . And for the support of this Declaration, with a firm reliance on the protection of DIVINE PROVIDENCE, we mutually pledge to each other our lives, our fortunes, and our sacred honor."

Committee on Articles:

"Article XIII. AND WHEREAS, it hath pleased the great Governor of the world to incline the hearts of the legislatures we represent in Congress, to approve of and to authorize us to ratify the said Articles of Confederation and Perpetual Union, Know ye, that we, . . . do by these presents, in the name of our constituents, fully ratify each and every of the said Articles of Confederation and Perpetual Union and all things therein contained.

"In witness whereof we have hereunto set our hand in Congress."

Committee on Declaration:

On motion of John Adams and seconded by Benjamin Franklin, the Committee rises to report favorably to Congress. They adjourn and file into Congress.

Committee on Articles of Confederation:

On motion to recommend the adoption of the Articles of Confederation the Committee adjourns and files into Congress opposite door from the other Committee as the Curtain falls and immediately rises on next scene.

CURTAIN FALLS

In the above scene the part taken by the Committee on Articles of Confederation may be omitted or the entire scene may be left out and play begin with the poem Columbus, (Waukin Miller) recited as a prelude, and the drama open with the stage set for Scene 1.

Scene 3

(Or Scene 1 if Scene 2 is omitted)

As curtain rises Thomas Jefferson and the rest of the Committee enter and take their seats. Jefferson rises and after obtaining the floor in the parliamentary way, speaks as follows:

"Mr. President: I have the honor to report that your Committee recommends the adoption of the following Declaration of Independence: (Reads.) When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and nature's God entitle them a recent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

"We hold these truths to be self-evident, that ALL MEN ARE CREATED EQUAL (cheers); that they are endowed by their Creator with certain inalienable

rights that among these are life, liberty, and the pursuit of happiness (cheers); that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it and to institute a new government, laying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

"Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience has shown that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed.

"But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism it is their right, it is their duty, to throw off such government, and to provide new guards for the future security. Such has been the patient sufferings of these Colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let more than a score of facts be stbmitted to a candid world. (Omit all the charges enumerated against the King.)

"In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered by repeated injury. A prince whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of the people.

"We, therefore, the representatives of the United States of America, in general Congress assembled, appealing to the Supreme Judge of the world for the

rectitude of our intentions, do solemnly publish and declare that these United Colonies are, and of right ought to be, Free and Independent States. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor."

After Thomas Jefferson has made the motion to adopt the Declaration of Independence and it has been seconded, a

Motion to Strike out the phrase: "All men are created equal," is moved and seconded and a

Motion to Lay on the Table is made and seconded, and a

Motion to Adjourn is made and seconded and this, being put, is lost.

The Motion to Lay on the Table is then put and lost, and

The Motion to Strike out is then put and lost (cheers), and the

Main question on the adoption of the Declaration of Independence is then put and the following speeches made:

Supposed Speech of Roger Sherman of Connecticut:

"Mr. President: I am in favor of the Declaration of Independence because it contains one of the grandest propositions that any system of government can build upon, and that is: All men are created equal."

Supposed Speech of Benjamin Franklin, Pennsylvania:

"Mr. President: I am in favor of this Declaration because it sets forth two new but everlasting principles of democracy and these are:

"1. All men are created equal.

"2. That all governments derive their just powers from the consent of the governed. It proclaims to all creation the glorious truth that men can govern themselves.

"Up to this time men supposed that power descended from on high and lit on the heads of a few tall men and then a little of it trickled down to the great body of the people below. We shall now reverse all this. We now propose to make it begin at the bottom and, like sap in the trees in the springtime, go up, and it will continue to go up FOREVER."

Supposed Speech of John Rutledge of South Carolina:

"Mr. President: We are about to decide the greatest question that has ever been debated in America, and a greater, perhaps, never was nor never will be decided among men. When I look back through the series of political events and consider the chain of causes and effects, I am surprised at the greatness of this revolution. Britain has been filled with folly and America with wisdom. It is the will of Heaven that the two countries should be sundered forever; it may be the will of Heaven that America will suffer calamities still more dreadful. If this be the case, the furnace of affliction produces refinements in States as well as in individuals. But I submit all my hopes and fears to an over-ruling Providence, in which, unfashionable as the faith may be, I firmly believe.

"Time has been given for the whole people maturely to consider the great question of independence, so that in every colony of the thirteen they have now adopted it as their own act.

"The Fourth Day of July, 1776, will be the most memorable epoch in the history of America, commemorated as the day of deliverance by solemn acts of devotion to God Almighty from one end of the continent to the other from this time forward forever more. You may think me transported with enthusiasm, but I am not. I am well aware of the toll of blood and treasure that it will cost us to maintain this declar-

ation, yet through all the gloom I can see the rays of light and glory; the end is worth all th emeans; that posterity shall triumph in this transaction even though we should rue it, but by the grace of God I believe we shall never rue it."

Supposed Speech of John Dickenson of Pennsylvania:

"Mr. President: I value the love of my country as I ought, but I value my country more, and I desire this illustrious assembly to witness the integrity if not the policy of my conduct.

"I am opposed to the adoption of the Declaration of Independence at this time because it will not strengthen us by one man, while it may expose our soldiers to additional cruelties and outrages.

"Before such a step is taken we ought to know the disposition of the great powers; and how far they will permit any one or more of them to interfere. It is singularly disrespectful to France to make the Declaration before her sense is known as we have already sent an agent to inquire whether such a declaration would be acceptable to her, but that agent has hardly yet arrived at the court of Versailles. Thus to break with Great Britain before we have compacted with another is to make experiments on the lives and liberties of my countrymen which I would sooner die than agree to make; at best it is to throw us into the hands of some other power, and to lie at mercy, for we shall have passed the river that is never to be repassed. We ought to retain the declaration and remain masters of our own fame and fate.

"The forming of our government is a new and difficult work. The Articles of Confederation ought to be adotped before the Declaration of Independence. When this is done, and the people perceive that they and their posterity are to live under well regulated constitutions, they will be encouraged to look forward to independence as completing the noble system of their political happiness.

"Upon the whole, when things shall thus be rendered firm at home and favorable abroad, then let

America, bearing up her glory and the destiny of her descendant advance with majestic steps and assume her station among the sovereigns of the world. For, by the adoption of this Declaration of Independence we will be erecting an independent empire on this continent which would be a phenomenon in the world; its effect will be immense and will vibrate round the globe."

Supposed Speech of John Adams:

"Sink or swim, live or die, survive or perish, I am for this Declaration.

"Sir, the Declaration will inspire the people with increased courage. Instead of a long and bloody war for restoration of privileges, set before them the glorious objects of entire independence and it will breathe into them the spirit of new life.

"Read this Declaration at the head of the army; every sword will be drawn and a solemn vow uttered to maintain it or perish on the field of honor. Publish it from the pulpit; religion will approve it and the love of religious liberty will cling around it resolved to stand with it or fall with it. Send it to the public halls, proclaim it there. Let them hear it who heard the first roar of the cannon; let them see it who saw their brothers and sons fall on the field of Bunker Hill and in the streets of Lexington and Concord and the very walls will cry out in its support.

"Sir, I know the uncertainty of human affairs; but I see clearly through this day's business. You and I may rue it. We may not live to see the time the Declaration may be made good. We may die; die colonists; die slaves; die, it may be, ignominiously on the scaffold! Be it so! Be it so! If it be the pleasure of Heaven that my country should require the poor offering of my life, the victim shall be ready at the appointed hour, come when that hour may. But while I do live, let me have a country or at least the hope of a country, and that a free country!

"Whatever may be our fate, be assured that this Declaration will stand. It may cost blood, it may cost blood and treasure. But it will stand and will richly compensate for both. Through the thick gloom of the present I see the brightness of the future as the sun in heaven. We shall make this a glorious and immortal day. When we are in our graves our children will honor it. They will celebrate it with thanksgiving, with festivities, with bonfires, and illuminations. On its annual return they will shed tears, copious tears; not of subjection and slavery, not of agony of distress, but exultation of gratitude and of joy.

"Sir, before God I believe the hour has com.e My judgment approves of this measure and my whole heart is in it. All that I have, all that I am, and all that I hope to be in this life, I am ready now and here to stake upon it.

"And I leave off as I began: That 'Live or die, survive or perish, sink or swim,' I give my hand and my heart to this vote. It has been my living sentiment; and by the help of God it shall be my dying sentiment; INDEPENDENCE NOW AND INDEPENDENCE FOREVER."

(Group of small children run on stage shouting and gesturing.)

Go, ring the bells, and fire the guns,
And fling your starry banners out.
Shout "Freedom!" till your lisping ones
Give back their cradle shout!

CURTAIN

Scene 4. Evening programme.

1. Piano Number—Washington's March (Hail Columbia)
2. The Battle of Bunker Hill...Poem by F. S. Cozzens
3. Liberty Song, "Come Join Hand in Hand," etc..
Mercy Warren

Come join hand in hand, brave Americans all,
And rouse your bold hearts at fair Liberty's call;
No tyrannous arts shall suppress your just claim,
Or stain with dishonor America's name.

Chorus:

In freedom we're born, and in freedom we'll live,
Our purses are ready, steady, friends, steady,
Not as slaves, but as freemen, our money we'll give.

4. Speech of William Pitt—House of Commons, January, 1776.

Mr. Speaker: The day has now come to consider the state of the nation with respect to America.

Gentlemen, this is the greatest subject that has ever engaged the attention of this House, one subject alone excepted when, near a century ago, it was the question whether you yourselves were to be bond or free.

At this time I will speak to but one point. TAXATION WITHOUT REPRESENTATION. Sir: It is my opinion that this kingdom has no right to tax the colonies. They are the subjects of this kingdom, equally entitled with yourselves to all the natural rights of mankind and the peculiar privileges of Englishmen. Americans are the sons, not the bastards, of England. Gentlemen tell us that America is obstinate, America in almost in open rebellion. Sir, I rejoice that America has resisted. Three millions so dead to all the feelings of liberty as voluntarily to submit to be slaves would have been fit instruments to make slaves of all the rest.

And, sir, if I were an American as I am an Englishman, while a foreign foe remained on our soil I would never lay down my arms, never, NEVER, NEVER!!!

5. Song.....“Ode to the 4th of July”

THE AMERICAN

Come all ye sons of song, pour the full sound along,
In joyful strains;
Beneath these western skies, see a new empire rise,
Bursting with glad surprise,
Tyrannic chains.

Now all ye sons of song, pour the full sound along,
Who shall control;
For in this western clime, Freedom shall rise sublime
Till every changing time,
Shall cease to roll.

6. Speech of Patrick Henry

(Delivered at Richmond, Va., on a Resolution to put the Commonwealth into a state of defense, March 23, 1775)

This is no time for ceremony. The question now before us is one of awful moment to this country. For my own part, I consider it as nothing less than a question of freedom or slavery.

Mr. President, it is natural for man to indulge in the illusions of hope. We are apt to shut our eyes against a painful truth, and listen to the song of that siren, till she transforms us into beasts. Is this the part of wise men, engaged in a great and arduous struggle for liberty? Shall we acquire the means of effectual resistance by lying supinely on our backs and hugging the delusive phantom of hope, until our enemies have bound us hand and foot?

Let us not, I beseech you, sir, deceive ourselves any longer. Sir, we have done everything that could be done, to avert the storm that is now coming on. But our remonstrances have produced additional violence and insult. There is no longer any room for hope. If we wish to be free—if we mean to preserve inviolate those inestimable privileges for which we have been so long contending—if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon, until the glorious object of our contest shall be obtained—we must fight! I repeat it, sir, we must fight! An appeal to arms and to the God of Hosts is all that is left us!

They tell us, sir, that we are weak; unable to cope with so formidable an enemy. Sir, we are not weak if we make a proper use of those means which the God of nature hath placed in our power. The millions of our people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat, but in submission and slavery.

The war is inevitable—and let it come! I repeat it, sir, let it come. Gentlemen cry. Peace, Peace—but there is no peace. Is life so dear, or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me LIBERTY OR GIVE ME DEATH!

7. Song.....Yankee Doodle

8. Dance..... Minuette

ACT II.

THE CONSTITUTIONAL CONVENTION

The Constitutional Convention assembled in 1787, in the same city, the same building (the State House), and in the same room that the Declaration of Independence was adopted and signed in 1776.

George Washington was President of this Convention, which numbered fifty-five members. An abler body of statesmen had not assembled in modern times than this which made the Constitution in 1787, nor has any assembly met with truer motives or produced a grander result.

(Prominent members file in as their names are called by an announcer off stage.)

George Washington (Va.)—Father of his country. Soldier. Statesman.

Benjamin Franklin (Penn.)—Oldest man in Convention. Philosopher and Diplomat.

John Dickenson (Del.)—Who opposed the Declaration of Independence, but a true Patriot.

James Wilson (Penn.)—The ablest Lawyer in the Convention.

Robert Morris (Penn.)—Financier of the Revolution.

Gouveneur Morris (Penn.)—Author of our Decimal System of money and writer of the Constitution.

James Madison (Va.)—Father of the Constitution and a President of the United States.

Edmond Randolph (Va.)—First Attorney-General of the Cabinet.

Alexander Hamilton (N. Y.)—Brilliant orator and ablest defender of the Constitution. Killed by Aaron Burr in a duel.

John Rutledge (S. C.)—Orator from South Carolina.

Charles C. Pinckney (S. C.)—Famous for the saying, "Millions for defense but not one cent for tribute."

Rufus King (Mass.)—Noted politician of Massachusetts. Later Senator for New York.

Elbridge Gerry (Mass.)—Famed for the term, "Gerrymander."

Roger Sherman (Conn.)—The shoemaker statesman from Connecticut.

(The other members file in and take their seats with Mr. William Jackson, Secretary, and several little children as pages sitting on steps, and the Doorkeeper and Sergeant-at-arms.)

Mr. Edmund Randolph (Va.):

Mr. President: I offer the following resolution: Resolved, that we set aside the Articles of Confederation and adopt the Constitution of the United States.

This motoin is seconded and put by the President.

Mr. Wilson:

I move that the House go into a Committee of the whole on the State of the Union.

This motion is seconded and put and carried. Washington appoints Mr. Wilson of Pennsylvania to take the chair. When he does so Mr. Pinckney of South Carolina speaks.

Each speaker addresses the Chair in parliamentary form and obtains the floor.

Here a parliamentary drill may continue ad lib. following Roberts Rules of Order, Cushing's Manual, Jefferson's or any other standard work.

Mr. Pinckney (S. C.):

"Mr. President: We, the delegates from South Carolina, have been instructed to come here to amend the Articles of Confederation; not to set them aside and adopt a Constitution. To say that the Articles are insufficient and could not be amended or improved is, I think, to put the matter out of the reach of the powers of this Convention. We must do only what will please our people."

George Washington (Va.):

"Mr. President: My wish is that the convention may adopt a Constitution that will stamp wisdom and dignity on those proceedings and hold up a light which sooner or later will have its influence. It may be probable that no plan we propose will be adopted. Perhaps another conflict is to be sustained. If to please the people we offer what we ourselves disapprove, how

can we afterward defend our work? Let us raise a standard to which the wise and honest can repair; the event is with God." (It is said Washington made no other speech in this Convention.)

Mr. Edmund Randolph (Va.):

"Mr. President: We have met here for the purpose of amending the Articles of Confederation, but this Resolution seeks to set aside the Articles and in its place put what we call the plan proposed by the Virginia delegates which offers a Constitution of the United States. We have two plans set before us. One called the New Jersey plan; the other the Virginia plan. The difference is this:

The New Jersey plan makes the State prominent and responsible; while the Virginia plan makes the people prominent and responsible.

The New Jersey plan provides for but one Legislative body; and in it each State shall have but one vote; the Virginia plan provides for two Legislative branches representing the people according to population and wealth.

The New Jersey plan is a mere amendment of the Articles of Confederation.

The Virginia plan provides for a complete change of government with three departments: The Legislative Department consisting of a Senate and House of Representatives. The Executive Department consisting of a President; and a Judicial Department consisting of a Supreme Court of the United States and Inferior Courts.

I am in favor of the Virginia plan and favor the adoption of the Constitution of the United States.

Mr. Patterson (N. J.):

"Mr. President: We have met in this room as the representatives of thirteen independent States for Federal purposes. Can we form one government and de-

stroy the sovereignty of the very States that have sent us here to make it yet more secure? I fancy not.

Again, what, pray, is a property representation? Is a man with twenty thousand pounds to have twenty times as many votes as a man with one thousand pounds?

And what, pray, is a representation founded on numbers?

Shall I submit the welfare of New Jersey with its five votes in a council where Virginia has sixteen? I will never consent to the proposed plan. I shall work against it all I can. Neither my state nor myself will ever submit to despotism or to tyranny."

Mr. Wilson: (Mr. Wilson calls Mr. Sherman to the Chair)

"Mr. President: Let me remind the gentleman from New Jersey that the states have a right to confederate with each other if they please and the rest can stay out if they please. If they want their own way and go out of the Union, let them go! (Pounds desk). I want to say here, that I think numbers are the true basis of representation. If numbers is not a proper rule, why is not some better rule pointed out? Congress has never been able to discover a better. No state has suggested any other. Property is not the sole nor the primary end of government and society; the improvement of the human mind is the most noble object. It is absurd to say that New Jersey with her small population should have the same influence in National Councils as Pennsylvania, I say it is unjust. I never will confederate on such a plan. The gentleman from New Jersey is candid and bold. I commend him for it. I will be equally candid. I say again I never will confederate on his principles. For whom do we make the Constitution? Is it for men, or for imaginary beings called States?" (He resumes the Chair and Mr. Sherman resumes his seat).

Mr. Hamilton:

"Mr. President: I do not like either the New Jersey plan or the Virginia plan, but I like the New Jersey plan the less. It is the old Articles of Confederation with a few patches. It is pork still with a change of sauce. I think we ought to throw it all out together and adopt the Virginia plan and make it the Constitution of the United States provided it is amended, and I will offer several amendments to the Constitution which I wish to move at some future time."

Mr. Sherman (Conn.):

"Mr. President: I wish at this time to call attention to the Executive Department. I am in favor of having more than one President, or, if but one, then a Council of Revision.

"The requirements of a good executive are vigor, dispatch, and responsibility and I, for one, can't see why they cannot be found in three men as well as one. A president alone would be a Monarchy and the people will never brook a King."

Mr. Rufus King (Mass.):

"Mr. President: I will remind the gentleman from Connecticut that all the thirteen States including his own have already agreed on a single Executive, one Governor. Not one State has ever thought of more than one Governor. Every one knows that a single executive is not a king."

Mr. Rutledge (S. C.):

"Mr. President: I move that the clause prohibiting the slave trade in 1808, be stricken out. I believe that the Southern States should have as good a right to buy slaves from a foreign country as from the states themselves."

Pierce Butler (S. C.):

"Mr. President: I second the motion." (The motion is put and then debated.)

"Mr. President: Blacks are slaves and therefore

property. I lament that such a species of property exists; but as it does exist, the holders of it will require its security and protection. North Carolina will never confederate on terms that do not rate their blacks at least as three-fifths. This is but just and you must do us justice or we will separate from the Union."

John Langdon (N. H.):

"Mr. President: The Southern States threaten to separate now in case injury shall be done them. Well, there will never be a time when they will not say 'Do us justice, give us slavery, or we will separate. Give us assurance that our slaves will not be taken from us or we will withdraw from the Union.'

"For my part I will oppose even the name 'slave' appearing in the Constitution. I do not want even the word 'slave' to be found anywhere in that immortal document."

Mr. Sherman:

"Mr. President: Rather than part with the Southern States it is better to let them import slaves. But I think it wrong to admit in the Constitution the idea that there can be property in men. I am in favor of prohibiting the slave trade altogether, but to favor the South I will agree to let it go on till 1808. I will vote against striking out the clause."

Daniel Carroll (Md.):

"Mr. President: It seems now well understood that the real difference of interest lies, not between the large and small states, but between the Northern and the Southern, between the slave and the anti-slave states. The institution of slavery and its consequences already forms the line of discrimination.

"The equality of vote that each state has in the Senate will give the slave States a balance of power over the anti-slave States, but the latter will have a majority in the House of Representatives, where the representation is according to population. But the su-

periority of the free commonwealths will, no doubt, increase from decade to decade till slavery in the United States shall be no more. This is a question that cannot be finally settled at this time."

(The motion is then put and a tie vote results. The president may vote no or decide the motion is lost without his vote.)

Mr. Randolph:

"Mr. President: I move that the Committee rise and report favorable on the Constitution."

(This Motion is seconded, put, and carried. Mr. Wilson then yields the chair to George Washington, and after taking his seat, rises and reports.)

Mr. Wilson (Penn.):

"Mr. President: I have the honor to inform this House that the Committee reports 'favorable' on the Constitution of the United States."

The President: "What will you do with the Constitution?"

Mr. Madison (Va.):

"Mr. President: I am in favor of adopting the Constitution of the United States, because it is, I believe, by far the most important production of its kind in all history. Never in the history of the world has a Federal National Government been created. It combines national strength with individual ability in a degree so remarkable that it will attract the world's admiration. Never in the history of man has a government struck so fine a balance between liberty and union; between state rights and sovereignty. The world has labored for ages to solve this greatest of all governmental problems, but it has labored in vain. Greece in her mad clamor for liberty had forgotten the need of the strength that Union brings, and she perished. Rome made the opposite mistake. Rome fostered Union—Nationality—for its strength until it be-

came a tyranny and strangled the child liberty. It has been left for us to strike the balance between these opposing tendencies; to join them in perpetual wedlock in such a way as to secure the benefits of both.

"Only the small states here oppose the Constitution because they believe that the great states will combine against them. Why think of such a thing? Can such States ever form such a combination? Does not the history of every country on the face of the earth disprove it? I call your attention to incidents in the history of Sparta, of Athens, of Carthage, of Rome, of the House of Bourbon, or of the House of Austria. It is the strong States that fall out, the weak ones that combine.

"Sir, I predict that this Constitution of the United States will be pronounced by future historians and statesmen of the world as the greatest work ever struck off by the mind and purpose of man."

Benjamin Franklin:

"Mr. President: I have lived a long time and have often been obliged to change my opinion on matters on which I was once sure I was right. The older I grow, therefore, the more I am apt to doubt my judgment and to pay more respect to the judgments of others. I agree to the Constitution with all its faults, if it have any. I had expected no better and I am not sure that it is not the best. It astonishes me to find this system approaching so near to perfection. I hope that each member who still has objections will doubt a little of his own infallibility and put his name to the instrument. I propose the following form:

" 'Done in Convention by the unanimous consent of the States present, the *Seventeenth day of September*, in the year of our Lord, one thousand seven hundred and eighty-seven, and of the Independence of our United States of America, the *twelfth*.'

"In witness whereof we have hereunto subscribed our names."

George Washington (holding one hand on the Constitution and the other uplifted holding the pen) said:

"Should the States reject this excellent Constitution, the probability is that opportunity will never again offer to construct another in peace. The next will be drawn in blood."

(Washington signed the Constitution first and the States signed in order from the East as follows):

New Hampshire—John Langdon, Nicholas Gilman.

Massachusetts—Nathaniel Gorham, Rufus King.

Connecticut—William Samuel Johnson, Roger Sherman.

New York—Alexander Hamilton.

New Jersey—William Livingston, David Bearly, Wm. Patterson, Jonathan Dayton.

Pennsylvania—Thos. Fitzsimmons, Jared Ingersoll, James Wilson, Governeur Morris, Benjamin Franklin, Robert Morris, Geo. Clymer, Thomas Mifflin.

Delaware—Geo. Read, Gunning Bedford Jr., Jno. Dickenson, Rich Bassett, J. Broom.

Maryland—James McHenry, Daniel of St. Thomas Jenifer, Daniel Carroll.

Virginia—John Blair, James Madison, Jr.

North Carolina—William Blount, Richard Dobbs Spaight, Hugh Williamson.

South Carilona—J. Rutledge, Charles Cotesworth Pinckney, Pierce Butler, C. Pinckney.

Georgia—William Few, Abraham Baldwin.

William Jackson, Secretary. (Thirty-nine signed.)

(After all (39) had signed Mr. Franklin made the following remarks).

Mr. Franklin:

"Mr. President: I have often and often, in the course of this session and the vicissitude of my hopes and fears as to its issue, looked at that painting behind the president without being able to tell whether it was a rising or setting sun! But now at length I have the happiness to know that it is a RISING SUN!!"

In place of taking the time for signing the Constitution a better plan might be for all to repeat in con-

cert the Preamble to the Constitution:

We, the people of the United States of America,
In order to form a more perfect Union;
Establish justice;
Insure domestic tranquility;
Provide for the common defense;
Promote the general welfare; and
Secure the blessings of liberty to ourselves and our posterity
Do ordain and establish this Constitution for the United States of America.

(In case the preamble is recited, insert Franklin's last speech here.)

(A hint: It is recorded that after the Convention adjourned *sine die* they went in a body and dined together, Washington with a short speech excusing himself and retiring immediately after dining.)

Scene 2. A Platform or Stage cleared for Drills.

DRILLS

Objective points of drills:

No. 1. To show the contest between the SMALL and LARGE States.

No. 2. To show the contest between the Northern and Southern States.

No. 3. To show the order in which the States entered the Union.

DRILL NO. 1

The Small States (Rhode Island, Connecticut, New Jersey, Delaware, Maryland, and South Carolina) represented by smaller players and the large States (New Hampshire, Massachusetts, New York, Pennsylvania, Virginia, North Carolina and Georgia) represented by larger players may be shown very well in contest by a dance, "Pearls of Dew Mazurka," by the Victor Dance Orchestra. (Victor Record No. 35037-A).

DRILL NO. 2

In like manner, by a dance or military drill may be shown a contest between the Slave States, Maryland, Delaware, Virginia, North Carolina, South Carolina and Georgia on one side and the Free Soil States, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey and Pennsylvania on the other, but in different costume, however not in "blue" against the "gray" at this time. The Palmetto against the Pine would perhaps be better.

DRILL NO. 3

The following drill is suggested:

Let the Goddess of Liberty, Columbia, stand on platform in rear of stage at the center, with thirteen flags each having thirteen stars in a circle in the blue field and thirteen stripes. Let players enter in the order the states ratified the Constitution and entered the Union. First, Delaware marches in from Left Upper Entrance, kneels and raises hand appealingly for a flag; Columbia gives one of her small flags; Delaware marches down stage waving her flag and repeats: "I am the State of Delaware, the Diamond State, the first State to enter the Union. My birth day (date of entrance) is December 6, 1787. (She may give her boundary and any other fact of her colonial history, her capital, largest city, or any appropriate characteristic of her State). With a skip she takes her place on the Left down stage. Next the State of Pennsylvania enters and follows the same routine for her state, the Keystone State, but takes her place on the opposite side of stage to represent a Free State. The States follow the same routine till after New Hampshire enters. She being the ninth State to enter the "Union," is established by the terms of the Constitution. These Nine States may join hands and sing "America" or do a dance, giving their flags to Columbia until completed, when they retake their flags and resume their respective places. After this "Uncle Sam" appears at the door up Left and announces to Columbia that the State of Virginia seeks to enter the Union. Columbia replies: "Admit her." Virginia enters and follows the same routine, as also do the remaining States. Rhode Island being the last and smallest very haughtily and independently enters and takes her place at the head of the Free line and completes the double line with six states on the Slave side and seven on the Free Soil side. Columbia may come to center with a large flag and all waving flags the act may end and the

CURTAIN FALLS

Or the drill may continue as outlined in Act IV. Scene 1. The Evolution of the Flag. (See Act IV.)

The following table will assist the director in ar-

ranging these drills:

STATES AS THEY ENTERED THE UNION

States as they entered the Union:

1. Delaware—Slave State, Dec. 6, 1787; unanimous.
2. Pennsylvania—Free State, Dec. 12, 1787; 46 to 23.
3. New Jersey, Free State, Dec. 18, 1787; unanimous.
4. Georgia—Slave State, Jan. 2, 1788; unanimous.
5. Connecticut—Free State, Jan. 9, 1788; 128 to 40.
6. Massachusetts—Free State, Feb. 6, 1788; 187 to 167.
7. Maryland—Slave State, April 28, 1788; 63 to 11.
8. South Carolina—Slave State, May 23, 1788; 149 to 73.
9. New Hampshire—Free State, June 21, 1788; 57 to 46.
10. Virginia—Slave State, June 26, 1788; 89 to 79.
11. New York—Free State, July 26, 1788; 30 to 27.
12. North Carolina—Slave State, Nov. 21, 1789; 384 to 282.
13. Rhode Island—Free State, May 29, 1790.
14. Vermont—Free State, March 4, 1791; Washington's administration.
15. Kentucky—Slave State, June 1, 1792; Washington's Administration.
16. Tennessee—Slave State, June 1, 1796; Washington's administration.
17. Ohio—Free State, Nov. 29, 1803; Jefferson's administration.
18. Louisiana—Slave State, April 30, 1812; Madison's administration.
19. Indiana—Free State, Dec. 11, 1816; Madison's administration.
20. Mississippi—Slave State, Dec. 10, 1817; Monroe's administration.
21. Illinois—Free State, Dec. 3, 1818; Monroe's administration.
22. Alabama—Slave State, Dec. 14, 1819; Monroe's administration.
23. Maine—Free State, March 3, 1820; Monroe's administration.
24. Missouri—Free State, Aug. 10, 1820; Monroe's administration.
25. Arkansas—Free State, June 15, 1836; Jackson's administration.
26. Michigan—Free State, Jan. 26, 1837; Tyler's administration.
27. Florida—Slave State, March 3, 1845; Polk's administration.
28. Texas—Slave State, Dec. 29, 1845; Polk's administration.
29. Iowa—Free State. Dec. 28, 1846; Polk's administration.

30. Wisconsin—Free State, May 29, 1848; Polk's administration.
31. California—Free State, Sept. 9, 1850; Taylor's administration.
32. Minnesota—Free State, May 11, 1858; Buchanan's administration.

Oregon—Free State, Feb. 14, 1859; Buchanan's administration.
Kansas—Free State, Jan. 29, 1861; Buchanan's administration.
West Virginia—Free State, June 17, 1863; Lincoln's administration.
Nevada—Free State, Oct. 31, 1864; Lincoln's administration.
Nebraska—March 1, 1867; Johnson's administration.
Colorado—Aug. 1, 1876; Hayes' administration.
North Dakota—Nov. 2, 1889; Harrison's administration.
South Dakota—Nov. 2, 1889; Harrison's administration.
Montana—Nov. 8, 1889; Harrison's administration.
Washington—Nov. 11, 1889; Harrison's administration.
Wyoming—July 11, 1890; Harrison's administration.
Idaho—July 3, 1890; Harrison's administration.
Utah—Jan. 4, 1895; Harrison's administration.
Oklahoma—Nov. 16, 1907; McKinley's administration.
Arizona—Jan. 6, 1911; McKinley's administration.
New Mexico—Feb. 14, 1911; Roosevelt's administration.

ACT II.

Scene 3. For this scene any short scene from a Classical Play that was produced at that period as Sheridan's School For Scandal or any of Shakespeare's plays or comedies may be given. One of several of these is here given as a sample.

A Scene from Act III, Julius Caesar

(No elaborate setting or scenery need be used as it is now believed the best effects with young people are gotten without such diverting trappings, rather let the attention be concentrated upon voice and action and letting the imagination withal be cultivated. Even the prostrate body of the slain Caesar in this scene is better imagined. As a stage production of course, costume and properties of that Roman period are necessary.)

As the curtain rises, Senators and people are in a panic running hither and thither, shouting and shriek-

ing. Caesar lies bleeding having been stabbed just before the rise of the curtain.

Characters Represented

Brutus	Trebonius	Decius
Cassius	Cinna	Metellus
Antony	Casca	Popilius

(*Follow* COPY of our cut version.)

~~CURTAIN.~~

CINNA:
Liberty! Freedom! Tyranny is dead!
Run hence, proclaim, cry it about the streets.

CASCA:
Some to the common pulpits and cry out
Liberty, freedom and enfranchisement!

BRUTUS:
People and Senators, be not affrighted;
Fly not; stand still: ambition's debt is paid.

METULLUS:
Go to the pulpit, Brutus.

DECIUS:
And Cassius, too.

(Trebonius Enters)

PIPILIUS (To Trebonius):
Where is Antony?

TREBONIUS:
Fled to his house amazed:
Men, wives and children stare, cry out and run
As it were doomsday.

BRUTUS:
Fates, we will know your pleasures:
That we shall die we know; 'tis but the time
And drawing days out, that men stand upon.

CASSIUS:
Why he that cuts off twenty years of life
Cuts of so many years of fearing death.

BRUTUS:
Grant that, and then is death a benefit;
So are we Caesar's friends, that have abridged
His time of fearing death. Stoop, Romans, stoop,
And let us bathe our hands in Caesar's blood
Up to the elbows, and besmear our swords:
Then walk we forth, even to the market-place,

And, waving our red weapons o'er our heads,
Let's all cry, "Peace, Freedom and Liberty!"

CASSIUS:

Stoop then and wash. How many ages hence
Shall this our lofty scene be acted over
In states unborn and accents yet unknown!

BRUTUS:

But here comes Antony. (Enter Antony). Welcome Mark Antony.

ANTONY:

O mighty Caesar! Dost thou lie so low?
Are all they conquests, glories, triumphs, spoils,
Shrunk to this little measure? Fare thee well.
I know not, gentlemen, what you intend,
Who else must be let blood, who else is rank:
If I, myself, there is no hour so fit
As Caesar's death hour, nor no instrument
Of half the worth as those your swords, made rich
With the most noble blood of all the world.
I do beseech ye, if you bear me hard,
Now, whilst your purpled hands do reek and smoke,
Fulfill your pleasure. Live a thousand years,
I shall not find myself so apt to die:
No place will please me so, no mean of death,
As here by Caesar, and by you cut off,
The choice and master spirits of this age.

BRUTUS:

O Antony, beg not your death of us,
Though now we must appear bloody and cruel,
Only be patient till we have appeased
The multitude, beside themselves with fear,
And then we will deliver you the cause,
Why I, that did love Caesar when I struck him,
Have thus proceeded.

ANTONY:

Friends am I with you all and love you all,
Upon this hope, that you shall give me reasons
Why and wherein Caesar was dangerous.

BRUTUS:

Our reasons are so full of good regard
That were you, Antony, the son of Caesar
You should be satisfied.

ANTONY:

That is all I seek;
And moreover suitor that I may
Produce his body to the market-place;
And . . . Speak in the order of his fun'ral.

BRUTUS:

You shall, Mark Antony.

CASSIUS:

Brutus, a word with you. (Aside to Brutus)
You know not what you do: do not consent
That Antony speak in his funeral
Know you how much the people may be moved
By that which he will utter? . . . I like it not.

BRUTUS:

Mark Antony, here, take you Caesar's body,
You shall not in your funeral speech blame us,
But speak all good you can of Caesar devise
And say you do't by our permission;
Else shall you not have any hand at all
About his funeral; and you shall speak
In the same pulpit where to I am going,
After my speech is ended.

ANTONY:

Be it so. I do desire no more.

BRUTUS:

Prepare the body and then follow us. (Exeunt all but A.)

ANTONY:

O, pardon me, thou bleeding piece of earth,
That I am meek and gentle with these butchers!
Thou art the ruins of the noblest man
That ever lived in the tide of times.
Woe to the hand that shed this costly blood!
Over thy wounds now do I prophesy,—
Which, like dumb mouths, do ope their ruby lips,
To beg the voice and utterance of my tongue—
A curse shall light upon the limbs of men;
Domestic fury and fierce civil strife
Shall cumber all the parts of Italy;
Blood and destruction shall be so in use
And dreadful objects so familiar
That mothers shall but smile when they behold
Their infants quartered with the hands of war;
All pity choked with custom of fell deeds;
And Caesar's spirit, raging for revenge,
With Ate by his side come hot from hell,
Shall in these confines with a monarch's voice
Cry "Havoc," and let slip the dogs of war!

CURTAIN

(End of Scene I.)

ACT III.

Scene 1. The United States Senate in session, Federal Hall, N. Y., April 30, 1789. Vice President John Adams is in the chair.

President—"Next in the order of business is bills on first reading.

Rufus King of New York—"Mr. President, I wish to introduce a bill entitled, An Act to Provide for Three Administrative Departments: 1. A Department of Foreign Affairs. 2. A Department of Financial Affairs. 3. A Department of War. And to provide a secretary at the head of each department."

President—"This is the first reading of the bill."

John Langdon of New Hampshire—"Mr. President, I wish to introduce a bill entitled An Act to Provide for Taking the Census Every Ten Years."

President—"This is the first reading of the bill. The next order of business is bills on second reading. The Secretary will read them in order."

Secretary—"An Act entitled, An Act for the Encouragement of and Protection of Manufactures."

President—"This is the second reading of the bill. What will you do with the bill?"

Robert Morris of Pennsylvania—"I move the bill be referred to the Committee on Ways and Means." This motion is seconded and put and carried.

President—"The motion is carried and it is so ordered. The Secretary will read the next bill."

Secretary—"An Act entitled, An Act to Provide for the Raising of Revenue by Placing a Tax on Whisky."

President—"This is the second reading of the bill. What will you do with the bill?"

Pierce Butler of South Carolina—"Mr. President, I move the bill be placed at the foot of the calendar." (This motion is put and carried and it is so ordered.)

Secretary—"An act entitled, The Judiciary Act to Provide for a Supreme Court and Inferior Courts."

President—"This is the second reading of the bill. What will you do with the bill?"

Ellsworth of Connecticut—"Mr. President, I move the bill be referred to the Judiciary Committee." (It is seconded and carried.)

President—"The next order of business is, Bills on Third Reading. The Secretary will report."

Secretary—"An act entitled, An Act to Enable the State of Vermont to enter the Union."

President—"The Secretary will read the bill in full."

Secretary (reads)—"An act entitled, An Act to Enable the State of Vermont to Enter the Union.

"Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled:

"That the State of Vermont, having provided for a republican form of government to conform to the Constitution of the United States, is entitled to admission into the United States Union. It is provided that the boundary of said State of Vermont shall be as follows: On the North, by Canada; on the East, by New Hampshire; on the South, by Massachusetts; on the West, by New York." (The above is a suggestive form, of course not the exact text.)

President—"What will you do with the bill?"

John Langdon—"I move the bill be put on its pas-

sage." It is seconded and carried.

President—"The Secretary will call the roll and the Senators in favor of the passage of the bill will, when their names are called, say 'Aye'; the Senators opposed to its passage will, when their names are called, say 'No.' The Secretary will now call the roll."

Secretary (calls the roll of states in alphabetical order)—

Connecticut—Mr. Ellsworth and Wm. Johnson.
Delaware—James Dickenson and Richard Bissett.
Georgia—William Few.
Maryland—Daniel Carroll.
Massachusetts—Cabel Strong.
New Hampshire—John Langdon.
New Jersey—Wm. Patterson.
New York—Rufus King and G. Morris.
Pennsylvania—Robert Morris.
South Carolina—Pierce Butler and C. C. Pinckney.
Virginia—Richard Henry Lee and Wm. Greyson.
(North Carolina and Rhode Island were not in the Union at this time. After counting the Secretary announces the bill has passed.)

President—"The bill has received a majority of votes cast and has passed the Senate. It has already passed the House. It will now be engrossed and will then be sent to the President and if he signs it then it will become a law."

Door Keeper—"Mr. President: The members of the House of Representatives await at the door."

President—"Admit them." (They are admitted. The Senators rise and stand while the Representatives enter and sit all together on right side.)

Door Keeper—"Mr. President: The President of the United States awaits."

President—"Admit him." (The President of the

United States enters and is offered the President's chair. He takes it.)

President—"Gentlemen of the Senate and House of Representatives: The oath of office will first be administered to the President on the balcony of the building where Chancellor Livingston of New York will administer the oath." (All march out. The President and party first, through center; the Senators through left, and Representatives through right door. The Secretary, Charles Otis, holds the Bible on a cushion. George Washington stands with his hand on the Bible. (This scene may be given in one of the boxes of a theatre.)

Chancellor Livingston—"Mr. President, you will repeat this oath aloud: 'I do solemnly swear that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect and defend the Constitution of the United States.'" (The President does so and then kisses the book.)

Chancellor (shouts)—"Long live George Washington, President of the United States!" (All the people repeating same words several times.)

All shout the words of the poem, "Shout for joy," etc., then all return to the Senate Chamber in same order as they went out.

President—"Gentlemen of the Senate and House of Representatives, the President will now address you."

President Washington—"Fellow-citizens of the Senate and House of Representatives:

"Among the vicissitudes incident to life, no event could have filled me with greater anxieties than to be summoned by my country to the trust which she now calls me.

"The magnitude and difficulty of this momentous task is sufficient to awaken a distrustful scrutiny into the qualifications of one who, inheriting inferior en-

dowments from nature, and unpracticed in duties of civil administration, is peculiarly conscious of his own deficiencies. Such being the impression under which I have answered this summons, it would be improper to omit in this first official act my fervent supplication to that Almighty Being who rules over the universe, who presides in the councils of the nations, and whose providential aids can supply every human defect, that His benedictions may consecrate to the liberties and happiness of the people of the United States a government instituted by themselves, for these essential purposes, and that His Providence may enable this administration to execute with success the functions allotted to its charge.

"No people can be bound to acknowledge and adore the Invisible Hand which conducts the affairs of men more than the people of the United States. Every step of which they have advanced to the character of an independent nation seems to have been distinguished by some token of Providential agency.

"The Constitution makes it the duty of the President 'to recommend to your consideration such measures as he shall judge necessary and expedient.' I will not at this time enter into that subject further than to refer you to the great constitutional charter itself under which we are assembled. In your talent, rectitude, and patriotism I behold the surest pledges that the foundations of our national policy will be laid in the purest principles of private morality; and the pre-eminence of a free government be exemplified by all the attributes which can win the affections of its citizens and command the respect of the world.

"There is no truth more thoroughly established than that there exists in the economy and course of nature and indissoluble union between virtue and happiness—between duty and advantage—between the maxims of an honest policy and the rewards of public prosperity, we are no less persuaded that the smiles of heaven can never be expected of a nation that disregards the eter-

nal rules of order and right which heaven itself has ordained, and we are certain that the preservation of the sacred fire of liberty and the destiny of the republican model of government are intrusted to the American people.

"I have one observation to add. It concerns myself and will therefore be brief. When I first entered the service of my country I renounced every pecuniary compensation during my continuance in office. From this resolution I shall not depart. I therefore decline any compensation or personal emolument while in this office; and ask that the pecuniary estimates for this station in which I am placed be limited to such expenditures as the public good may require.

"I shall take my present leave but not without resorting once more to the benign Parent of the human race, in humble supplication that His Divine blessing may be equally conspicuous in the temperate consultations and the wise measures on which the success of this government must depend."

(End of Scene I. Curtain.)

~~ACT III.~~ SCENE 2

President of the United States.....George Washington
Secretary of State.....Thomas Jefferson
Secretary of the Treasury.....Alexander Hamilton
Attorney General .....Edmund Randolph
Secretary of War.....Henry Knox

Seated at a table with George Washington at the head and Thomas Jefferson on his right with Edmund Randolph next to him, the Cabinet is called to order and the President states the order of business.

President—"Gentlemen of this Cabinet, I wish to submit to you for counsel and advice several important matters, among them are the following:

1. The Joint Resolution concerning the title of the President.
2. The Excise law.

3. The location of the Capitol.
4. Mr. Hamilton's financial scheme. The Assumption act.
5. The Protective Tariff bill.
6. The National Bank bill.
7. The Slavery question.

"It will be observed that every one of these questions and laws to a greater or less extent, divides the country into sections—North and South.

"Mr. Jefferson, what advise will you give on the first matter as to the title of the President? The Senate favored, 'His High Mightiness, the President of the United States and Protector of their Liberties.' The House favored the one which they passed by a joint resolution and with which the Senate finally concurred. Shall I approve this resolution? I will ask your advise."

Mr. Jefferson—"Mr. President, I hope that the terms, 'Excellency, Honor, Worship, Esquire, Majesty and even Mister shall forever disappear from among us. I favor the title proposed by the House."

President—"Mr. Hamilton, what is your advice?"

Mr. Hamilton—"Mr. President, I would have favored the title proposed by the Senate or at least the former part of it, 'His High Mightiness, but President of the United States' will be satisfactory."

President—"I also favored a more imposing title, but will ask the opinion of Mr. Knox and Mr. Randolph."

Mr. Knox—"Mr. President, I would favor Mr. Hamilton's idea."

President—"What is your advise, Mr. Randolph?"

Mr. Randolph—"Mr. President, I favor the Resolution as it passed."

President—"I will approve the Resolution as it passed both houses. The next question is concerning

the Excise Law, a tax on whiskey."

Mr. Jefferson—"Mr. President, I oppose this law as an unwarranted exercise of the federal taxing power; the Southern States will oppose and probably nullify it."

Mr. Hamilton—"I favor the law, for besides giving us a needful revenue, a tax on whiskey will discourage the extensive consumption of an article which many believe to be the source of great moral and physical evil to the country. I am certain that King Alcohol will be the first great enemy that will assault the life of the nation. A greater enemy than any foreign force that will ever attack or threaten us. I would impose a heavy tax upon it with the hope of utterly destroying it."

Mr. Knox—"Mr. President, I agree with Mr. Hamilton."

Mr. Randolph—"Mr. President, I agree with Mr. Jefferson."

President—"I shall sign the bill and it will become a law. Now let us consider the location of the capital: somewhere in the North, as at New York or Philadelphia, or somewhere in the South on the Potomic River."

Mr. Hamilton—"Mr. President, I am aware that Mr. Jefferson favors taking the capital to a Southern State. I am also aware that the South is opposed to my financial plan set forth in the Assumption Act. Mr. President, we find our country in a state of bankruptcy, a financial wreck, with a foreign debt of about $12,000,000, a domestic debt of about $40,000,000, and the several states' debt of about $25,000,000, making in all about $77,000,000. Now all agree that we shall pay the foreign debt and a majority agree that we shall pay the domestic debts; but to assume the several States' debt, the vote in the House was against it by two majority.

"I believe that all these debts should be paid, dollar for dollar. The government borrowed the money and honesty requires that the government should not repudiate its debts. 'Honesty is the best policy' is as good a maxim for the nation as for the individual. Besides, when a nation assumes a war debt of each and every state, we get a policy that will cement the Union into a nation. My plan is to provide the greatest financial scheme the world has ever known, and cementing the union of states into a nation so that the United States of America shall be known as the greatest nation on the globe. By this system, like Moses in the wilderness, I shall 'strike the rock of national resources and abundant streams of revenue shall gush forth'; I shall 'touch the dead corpse of public credit and it will spring to its feet.' But you of the South oppose this measure. The Northern States went into a greater debt for the Revolution than the Southern States and this scheme seems to help the North more than the South. Now, Mr. Jefferson, I will agree to use my influence in securing votes to locate the capital in the South, if you will use your influence in getting votes to carry my Assumption Act and make it a law upon the President's signing it."

Mr. Jefferson—"I will agree to do that." They shake hands over the table. (This scene actually took place at a dinner given by Jefferson at his home in Washington.)

President—"By this agreement, if carried out in good faith, the capital will be located somewhere on the Potomic River and the Assumption Act will become a law for I will sign it and that will establish our credit and financial system upon the rock of good faith and for which, Mr. Hamilton, the Republic will owe you a debt of perpetual gratitude, and your name will go down in history as the greatest organizer and constructive mind of this epoch for having established upon a firm basis the true principles of free government."

President—"We will next consider the National Bank Bill. Mr. Jefferson, I will be pleased to hear from you on that bill."

Jefferson—"Mr. President, I am opposed to the law providing for a National Bank. There is nothing in the Constitution clearly expressed that would give Congress a right to take that power from the states. The states would have the right to ignore the act as unconstitutional."

Hamilton—"Congress has power to do anything which is necessary and proper to carry into effect any power expressly given it by the Constitution. But the right to establish a National Bank is as clearly *implied* as if given as one of its expressed powers."

Jefferson—"It was not the intention of the framers of the Consttitution that Congress should have the power to take from the states any right not expressly delegated to it. No power can be taken from the states by mere implication. All powers of Congress touching the rights of the states must be strictly confined to those only expressed in the Constitution."

Hamilton—"The Constitution under so strict an interpretation as that would be a lifeless legal document, and nothing more; a bone for dogs to quarrel over and not a rod to govern with. If nothing can be done which is not expressed in the Constitution, then that Constitution can never fit the uses of a great and developing state. It is necessary to look at its great intention and to judge it to be the possessor of all the powers implied in that intention. Your doctrine of state rights will lead you to nullify the laws of the United States and secede from the Union. My doctrine is that the Constitution once established is irrevocable, and this government cannot be overthrown only by a successful revolution."

Jefferson—"Your National Bank will foster a moneyed aristocracy and we shall oppose it as by a strict construction it is unconstitutional, for a loose construc-

tion will enable a special rich-privilege class to secure whatever powers they wish, especially laws that will please the rich, enlist the rich, and additionally enrich the rich. Such a strong government will override the rights of the states. A political party advocating such doctrines will create a plutocracy. This European tendency must be checked if the monarchial spirit is to be kept out, and I shall organize an opposition which will be known henceforth as the Republican party and we will by that party make masterly efforts to evolve a higher and better system of government than Europe has ever known."

Hamilton—"In establishing a National Bank, it is true we shall use a moneyed class to the end that the nation's new government may be strengthened, but I am not concerned with a class but with a nation. If it is necessary to use a class to accomplish a valid purpose I will do it. My object will always be the supremacy of the nation at the expense of the class within the nation. To me government is a means, never an end. I believe in inspiring the growth of a government that will be the strongest on earth. I am a Federalist, and favor a strong central government, with a corresponding diminishing of the authority of the states. I am not a monarchist when I say the government of England is the best form on earth, but I would use it only as a model, not to copy, but to imitate. It is the only government in the world which unites public strength with individual security. The people will not brook a monarchy, only a republic can be founded in America. But I would unite and cement the states into a union and form a nation."

Jefferson—"Your admiration for the English government tends to ward a monarchy and your National Bank will foster a moneyed aristocracy. I hate aristocracy because it means tyranny and oppression and it is in opposition to the principles of liberty and equality. I would found a government on the broad theory of political equality and equal rights of all men. A representative government based on universal suffrage.

'That government is best that governs least.' Therefore, I am a Republican—a Democrat—and favor local self-government and state supremacy, for I believe the people are capable of governing themselves."

Hamilton—"I have little faith in the people's ability to govern themselves, therefore I am in favor of a strong central government with concentration of power in the hands of those especially fitted and set apart to govern. Therefore the great danger of the federal government lies with the states. I fear democracy because it may lead, as it has done in all history, to anarchy and ultimate despotism. From the beginning of governments among men in all time down to the beginning of the nineteenth century, I use history and experience from which to draw my conclusions. I challenge any man to point to one republic worthy of the name existing today, this year of our Lord 1789. The crushed and dismembered commonwealths of the past show a republican form of government at once most difficult and most dangerous and our own Confederacy confirm this fact.

"The people are not infallible. 'The people can do no wrong,' is as fallacious as 'The king can do no wrong.' 'Crucify him! Crucify him!' cried the people when Christ was before Pilot. *Vox populi est non vox Dei.* The voice of the people is not the voice of God. A wreckless democracy is the most terrible of despotisms. If we incline too much toward democracy we shall shoot into monarchy.

"But with our Senate to check the unstable and passion-vacillating tendency of the House of Representatives, and a strong executive, and by giving the Constitution a liberal construction, we will have a national government with a strong soul and strong organs by which that soul operates. Safety as well as liberty are the true objects of government."

Jefferson—"I fear you cannot establish a democracy, a government of the people by going about it in that way. I believe in the people, I am willing to trust

the people, I am pleased to be called the man of the people. Why can not man be trusted with the government of himself? If he can not, then how can he be trusted with the government of others? Have we found angels in the form of kings to govern us? Let history answer that question.

"I am not an anarchist only in the position that the lowest have equal rights with the highest. I have high estimate of the capacity of the American people for self-government. I have a high opinion of the wisdom and stability of our democracy. I believe we have now established a republic that already is the strongest on earth." (This scene may close here.)

Hamilton—"I believe that men are devoted also to their ideals, laws, religion and institutions, the sum total of which make up their civilization. I believe that the individual is strong because of the power of the nation and that the nation is strong because of the devotion of the individual.

"I am a Federalist, a Nationalist, who believes that deeper than his loyalty to his class or his state, is his loyalty to his nation and the national ideals under which he lives.

"I believe in the idea that the nation is something more than the sum of the individual states composing it. It is something more than only the all-of-us. Both past and present conditions show that mankind does regard the state as more than all of us. The nation represents to most of us something more noble than a mere convenience; a nation is greater than the sum of its subjects. One of the duties of every cititzen is the well-being of the state.

"We have this day laid down the principles that will grow into two great political parties in this country. The one will advocate the doctrine of State Rights; a strict construction of the interpretation of the Constitution; will oppose the doctrine of Protection; tend to diminish the powers of the executive department and the powers of the Senate, and at the

same time increase the powers of the House of Representatives.

"The other, the Federal party, will be the National party, and will be strong for the preservation of the Union in order that the states may be protected by it. It will favor a liberal construction of the Constitution with the doctrine of Implied Powers delegated to Congress. It will advocate a protective tariff system and will seek to preserve the dignity of the United States Senate to serve as a check upon the over-hasty tendency of the House of Representatives. It will seek to preserve and maintain a strong central government as the best means of guaranteeing to its subjects the fullest possible freedom and protection.

"And now, Mr. Jefferson, you are a Democratic-Republican. I am a National Federalist. You would see to it that the states are protected in their rights. I would see to it that the Union is preserved in order that your states may be protected by it and for such protection they will be loyal to the Union. You are strong for state independence and jealous for the greatest freedom of the people. I am strong for the national Union which will protect and guarantee the greatest freedom.

"You, Mr. Jefferson, are proud of the fact that you are a citizen of Virginia. With equal pride I assert that I am a citizen of New York. But it is with far greater pride that we can say we are citizens of the United States of America, the noblest republic on earth. (A good speaker, well trained in elocution, will be able to give all the above and hold the interest, but a shorter version may easily be arranged.

Scene 3. The Great French Ball. Washington attended and took a part in the dance. All the French appearing were gaily dressed in French costume and all others in Continental costumes.

Scene 4. Stage set for two scenes from the old play, "Rip Van Winkle," in costumes of the period.

ACT IV

THE EVOLUTION OF THE FLAG

Scene 1. The thirteen original States by their representatives are arranged on the stage with reference to the struggle between the Slave and Free States. The Slave States on the right and the Free States on the left.

North Carolina (12), Nov. 21, 1789; Verginia (10), July 26, 1788; South Carolina (8), June 23, 1788; Maryland (7), May 28, 1788; Georgia (4), Jan. 2, 1788; Delaware (1), Dec. 6, 1787.

New York (11), July 26, 1788; New Hampshire (9), June 21, 1788; Massachusetts (6), Feb. 6, 1788; Connecticut (5), Jan. 9, 1788; New Jersey (3), Dec. 18, 1787; Pennsylvania (2), Dec. 12, 1790; Rhode Island (13), May 29, 1790.

Columbia, with flags for the States as they enter the Union stands on a platform near the center, back, near the entrance. Uncle Sam stands L. upper entrance and announces each State, as it asks for admission into the Union.

Uncle Sam—"Columbia, Vermont asks admission into the Union."

Columbia—"Admit her."

The representative of Vermont enters, kneels to Columbia, who offers her a flag with 14 stars and 14 stripes upon it. Vermont takes it, marches down center of stage and repeats:

"I am the State of Vermont. The Green Mountain State. I am bounded (bound the state). My birthday is March 4, 1791 (date of admission).

Vermont marches round to left and stands just behind New York.

The next State to enter is Kentucky and follows the same routine bounding the State, giving its birth date (admission)

and introducing Henry Clay as one of her distinguished citizens and statesmen. The same, or another person, may deliver Henry Clay's speech at this time, of which the following is a cut version.

HENRY CLAY'S SPEECH

(Compromise of 1850.)

"Let us look to our country to our cause, elevate ourselves to the dignity of pure and disinterested patriots, and save our country from all impending dangers. What if, in the march of this nation to greatness and power we should be buried beneath the wheels that propel it onward. What are we—what is any man—worth who is not ready and willing to sacrafice himself for the benefit of the country when it is necessary?

"Will we ever consent that any foreign flag shall ever float upon the turrets of the Crescent City—Never! Never!

"I call upon all the South. If Kentucky tomorrow unfurls the banner of resistance unjustly. I never will fight under that banner. I owe a paramount allegience, to the whole Union—when it has a cause for resistance—when tyranny and wrong and oppression insufferable arise: I will then share her fortunes, but if she summons me to the battlefield or to support in any cause which is unjust, against the Union, never, NEVER will I engage with her such cause.

When the State of Louisiana is admitted, with her 18 stars and 18 stripes (1812) the year The Star-Spangled Banner was written, all on stage stand and sing it.

When Missouri is admitted John C. Calhoun may be introduced and his Senate speech delivered.

When California is admitted, "I Love You California," may be sung and "Daniel Webster" introduced to deliver the famous peroration of the Hayne-Webster debate in the United States Senate (1850), a cut version of which follows:

WEBSTER'S GREATEST PERORATION

"While the Union lasts, we have high, exciting, gratifying prospects spread out before us, for us and our children.

"Beyond that I seek not to penetrate the veil. God grant that in my day at least, that curtain may not rise.

"When my eyes shall be turned to behold for the last time the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union . . . on a land drenched, it may be, with fraternal blood.

"Let their last feeble and lingering glance rather behold the gorgeous ensign of the Republic, known and honored throughout the earth. . . . Not a stripe erased or poluted, not a single star obscured, bearing on its motto . . . no such words of delusion and folly, 'Liberty first and Union afterwards, but everywhere spread all over in characters of living light as it floats over the sea and over the land . . . that other sentiment dear to every true American heart. . . . LIBERTY and UNION, NOW and FOREVER ONE AND INSEPARABLE!"

Here as the tide for Freedom is overwhelming and victory for Liberty and Union is assured.

(The curtain falls)

ACT IV. SCENE 2

Scene 2. Independence Hall, Philadelphia.

Abraham Lincoln's speech.

Time: February 22, 1861.

The flag: Kansas flag with 34 stars and 13 stripes. Raised by Lincoln after a short address.

THE ADDRESS

"Fellow-citizens, Ladies and Gentlemen: I am invited and called before you to participate in raising above Independence Hall, the flag of our country with

an additional star upon it. When the flag was originally raised here it had but thirteen stars . . . under the blessing of God each additional star has given additional prosperity and happiness to this country until it has advanced to its present condition; and its welfare in the future, as well as in the past, is in your hands. Cultivating the spirit that animated our fathers who gave renown and celebrity to this Hall; cherishing that fraternal feeling which has so long characterized us as a nation. I think we may promise ourselves that not only the new star placed upon the flag shall be permitted to remain there to our permanent prosperity for years to come, but additional ones shall from time to time be placed there until we shall number, as it was anticipated by the great historian, five hundred millions of happy and prosperous people.

"With these remarks I proceed to the very agreeable duty assigned to me." (Lincoln raises the flag to top of pole, then proceeds with speech as follows) :

"Fellow-citizens: I am filled with deep emotion at finding myself standing in this place, where were collected together the wisdom, the patriotism, the devotion to principle from which sprang the institutions under which we live. All the political sentiments I entertain have been drawn so far as I have been able to draw them, from the sentiments which have originated in and were given to the world from this Hall.

"I have never had a feeling, politically, that did not spring from the sentiments embodied in the Declaration of Independence. I have often pondered over the dangers which were incurred by the men who were assembled here and framed and adopted that Declaration. I have pondered over the toils that were endured by the officers and soldiers of the army who achieved that independence. I have often inquired of myself what great principal or idea it was that kept this confederacy so long together.

"It was not the mere matter of separation of the colonies from the motherland, but that sentiment in

the Declaration of Independence which gave liberty not only to the people of this country, but hope to all the world for all future time. It was that which gave promise that the weights in due time would be lifted from the shoulders of all men, and that all should have an equal chance. This is the sentiment embodied in the Declaration of Independence.

"Now, my friends, can this country be saved on that basis? If it can I will consider myself one of the happiest men in the world if I can save it. If it cannot be saved upon that principle it will be truly awful.

"But if this country cannot be saved without giving up that principle, I was about to say, I would rather be assassinated on this spot than surrender it.

"Now, in my view of the present aspect of affairs, there is no need of bloodshed and war. There is no necessity for it. I am not in favor of such a course, and I may say in advance that there will be no bloodshed unless it is forced upon the government. The government will not use force unless force is used against it.

My friends, this is wholly an unprepared speech. I may, therefore, have said something indiscreet (cries of 'NO! NO!'), but I have said nothing but what I am willing to live by, and, if it be the pleasure of Almighty God, to die by."

(End of scene. Curtain)

Scene 3. Stage set to show Carpenter's "The Emancipation Cabinet."

ABRAHAM LINCOLN, THE FIRST AMERICAN

In the Emancipation Cabinet, Washington, D. C.

September 22, 1862, in the White House

Characters

President ..... Abraham Lincoln
Secretary of State .....William H. Seward of New York
Secretary of Treasury.....Salmon P. Chase of Ohio
Secretary of War.....Edwin M. Stanton of Ohio
Secretary of the Navy.....Gideon Welles of Connecticut
Secretary of Interior.....Caleb B. Smith of Indiana
Attorney General.....Edward Bates of Missouri
Post Master General.....Montgomery Blair of Maryland

At rise of curtain, Lincoln is seated at end of table, right, reading a copy of Artemus Ward. Bates and Welles enter and seat themselves, Bates at the end of the table opposite Lincoln and Welles at his left elbow. Seward and Chase enter. Stanton sits at right of Lincoln. Seward in front of table facing Lincoln; Chase stands, arms folded at right of Lincoln and between Lincoln and Stanton. Blair and Smith come in a little late. Smith stands at left of Welles and Blair at left of Smith.

Lincoln—"Gentlemen, did you ever read anything from Artemus Ward? (No one speaks.) Let me read you a chapter that is very funny. (Reads from Artemus Ward's Best Stories, page 36, "High-Handed Outrage at Utica.")

Lincoln reads: "High-Handed Outrage at Utica."

"Gentlemen, why don't you laugh? With the fearful strain that is upon me night and day if I do not laugh I shall die, and you need the same medicine as much as I do. (Pausing for a moment, then rising and with sad, firm face took out of his silk hat on the table the draft of the Emancipation Proclamation.)

"Gentlemen, I have called you here upon very important business. I have said nothing to any one, but I have made a promise to myself and to my Maker. I am now going to fulfill that promise. I have here a paper. (Reads paper with firm but low voice.)

" 'ON THE FIRST DAY OF JANUARY in the year of our Lord, 1863, all persons held as then slaves in any state or part of a state, the people whereof be in rebellion against the United States, shall be then

thenceforth and forever FREE.' Mr. Seward, if my name ever gets into history it will be for this act, and my whole soul is in it. (Handing the paper to Mr. Seward, the Secretary of State.)

"I have decided to issue to the world a PROCLAMATION that will break the shackles of bondage and shake the foundations of civilization."

(Curtain)

(Here, if a flag drill is introduced by small children, all Cabinet Members rise while group of states representing the Free States shout):

"Lincoln has freed the slaves!
Hurrah! Hurrah!
Clap your hands shout for joy!
Hurrah! Hurrah!
Lincoln has freed the slaves!"

The group of states representing the Slave States stand menacing in glum silence for a moment, then all reform and fervently repeat in concert:

"Thy task is done, the bond are free!
We bear thee to an honored grave!
Whose proudest monument shall be
The broken fetters of the slave.

"Pure was thy life; its bloody close
Hath placed thee with the sons of light
Among the noblest host of those
Who perished in the cause of right."

SCENE 4

LINCOLN AT GETTYSBURG

Scene: A temporary platform on the battlefield of Gettysburg.

Time: November 19, 1863

CHARACTERS

Abraham Lincoln.....President of the United States
Edwin M. Stanton.....Secretary of War
John Stevens.....A private in the Army; orderly of the day
Anne Marshall.....A girl from Ohio, sweetheart of Stevens
Telegraph messenger in Army uniform, guards, etc.

(Edward Everett, orator of the day has just finished speaking. After music by band or orchestra, Lincoln arrives a little late and while handshaking the dialogue between John Stevens and Anne Marshall takes place. After the shouting has died away Anne rushes on as if to pass John, who stands guard.)

John (surprised)—"Anne, what are you doing here?"

Anne—"I must see Secretary Stanton; it is about brother Will. They told me Secretary Stanton was here. I must see him."

John—"I am afraid it is impossible; he is too busy now talking with President Lincoln, who is going to make a speech after the band finishes."

Anne—"But I tell you I must see Mr. Stanton, John, if I don't they will shoot my brother Will tomorrow."

John—"Great God! Anne, they are not going to shoot Will?"

Anne—"Yes, and I must see Mr. Stanton, now; I must! I must! Let me go to him!"

John—"Come with me. I will speak to him. (Takes her to Stanton.) Mr. Stanton, here is a young lady, Miss Anne Marshall, who has come all the way from Ohio to see you on a matter of life and death."

Stanton—"It is always a matter of life and death these days. What is it? Be brief."

Anne—"It is about my brother. Will. Sir, I have come to ask you to give him a reprieve."

Stanton—"What has he done?"

Anne—"He was on picket duty, sir, in the 9th Ohio regiment, Company H, and he was so tired that he fell asleep."

Stanton—"Asleep on picket duty, eh?"

Anne—"Yes, and they have sentenced him to die."

Stanton—"That is the usual penalty."

Anne—"And they will shoot him tomorrow morning at sunrise if you don't save him, sir."

Stanton—"I cannot interfere, young woman. The offense is most serious and one that is becoming altogether too frequent these days."

Anne—"But he is my brother, sir; only a boy of twenty, my brother Will."

Stanton—"I'm sorry, very sorry, young woman." (Takes papers from his pocket.)

John—"Pardon me, Mr. Stanton, but all this young lady says is true. It occurred in my company, sir. One night her brother stood picket duty for a friend who was sick, and the very next night he had to go on picket duty for himself, and he was so tired out with the extra work and having no sleep, that he could not keep awake."

Anne—"And he's only a boy, sir, younger than I—my little brother."

Stanton—"I am very sorry, but I cannot interfere. What is your name?"

Anne—"Anne Marshall, sir."

Stanton—"Your brother's name is Will Marshall?" (Examines papers.)

Anne (with hope)—"Yes, sir."

Stanton—"Here is the finding of the Court martial

—um—yes, sentenced to be shot November 20, 1863."

Anne—"That is tomorrow, sir; don't you see?" (Anxiously.)

Stanton—"I have approved the finding of the Court Martial."

Anne—"Then my brother must die?" (Almost overcome.)

Stanton—"There is no help for it. Discipline must be maintained in the army. (Anne sobs.) Take her away, orderly." (John leads her to rear of platform. Music stops and Stanton introduces Lincoln.)

"Ladies and Gentlemen: President Lincoln will now address you, briefly."

Lincoln—"Four score and seven years ago, our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal. Now, we are engaged in a great civil war, testing whether that nation or any nation so conceived or so dedicated can long endure.

"We are met here on a great battlefield of that war; we have come here to dedicate a portion of that field as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But in a larger sense we cannot dedicate—we cannot hallow—we cannot consecrate this ground. The brave men, living and dead, who struggled here have consecrated it far beyond our poor power to add or detract. The world will little note nor long remember what we say here, but it will never forget what they did here. It is for us, the living, rather to be dedicated to the unfinished work which they who fought here have so far nobly advanced; it is rather for us to be here dedicated to the great task remaining before us; that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in

vain; that this nation shall, under God, have a new birth of freedom; and that government of the people, by the people and for the people shall not perish from the earth. Let us repeat here what was said on another occasion:

" 'Fondly do we hope, fervently do we pray, that this mighty scourge of war shall speedily pass away. Yet, if God wills that it shall continue, as it was said three thousand years ago, still let it be said the judgments of the Lord are true and righteous all together.'

"With malice toward none and with charity for all; with firmness in the right as God gives us to see the right let us strive on to finish the word we are in—until victory shall crown our achievements with a just and lasting peace not for our nation only but for all the nations of the earth." (After a pause, during which Lincoln takes a drink from a glass on the table, Anne rushes forward.)

Anne—"President Lincoln."

Lincoln—"Well, young lady, what can I do for you?"

Anne—"My brother Will, they are going to shoot him tomorrow at sunrise, Mr. Lincoln, my little brother." (Sobs.)

Lincoln—"Don't cry. What has your brother done?"

Stanton—"Here is the finding of the Court Martial, Mr. President, and I have approved the sentence." (Hands paper to Lincoln.)

Lincoln—"Go on, little girl; tell me all about it."

Anne—"Oh, thank you! You see, Mr. Lincoln, my name is Anne Marshall."

Lincoln—"Anne!" (Lincoln reflects. Anne Rutledge was his sweetheart and when she died it nearly drove him insane.)

Anne—"Yes, sir; and my brother's name is Will Marshall. He's only a boy, Mr. Lincoln, younger than I am; we grew up together on a little farm out in Ohio, Mr. Lincoln."

Lincoln—"I was raised on a farm myself." (With sympathy.)

Anne—"They put him on picket duty, sir, and he went to sleep."

Lincoln—"It is not to be wondered at that a boy raised on a farm, probably in the habit of getting to bed at dark, should fall asleep on watch."

Anne—"No, sir." (Hopefully.)

Stanton—"Mr. President, there are too many soldiers going to sleep on picket duty these days and discipline must be maintained in the army at any cost."

Lincoln—"I suppose you are right, Stanton; I suppose you are right."

Anne—"He's only a boy, Mr. Lincoln, and he's been fighting for his country nearly two years. My father was killed at Chicamagua and my brother at Malvern Hill. Will is all we have left. Are you going to take him from us, too?" (Holds arms out appealing, and John comes to her aid.)

John—"I cannot stand this, Mr. Lincoln, Mr. Secretary. Her brother and I went to the same little school house together; he enlisted when you called for volunteers two years ago. We were in the same company, sir; one night it was my turn to go on picket duty; I was sick and could not go, so Will Marshall went in my place. The very next night Will was chosen for picket duty in his own name, and he had to go, though he had had no sleep the night before. He was so tired that he fell asleep. They must not shoot him, Mr. Loncoln. They must not. Let them shoot me in his place, for it was my fault, not his."

Lincoln—"Well, well—who is this?"

John—"John Stevens, private, Company H, 89th Ohio, sir." (Saluting.)

Anne—"My sweetheart, Mr. Lincoln; we are to be married as soon as this cruel war is over."

Lincoln—"God grant that it may be soon."

Stanton—"This is doubtless very true, Mr. President, but there is the finding of the Court Martial and I have approved it."

Lincoln (looks at Anne weeping)—"There are already too many weeping mothers, wives and sweethearts in this country. For God's sake, Stanton, don't ask me to add to the number for I won't do it."

Stanton—"Mr. President, you will destroy the discipline of the army if you pardon any more soldiers who have been sentenced to be shot."

Lincoln—"Stanton, if you go deep enough below the surface in any man, you will find a quality that is far greater than discipline—and that is love, love for your fellow-man. Do that, Stanton, and you will find a conscience which tells you as mine does that I am right. After a hard day's work, if I can find some excuse to save some poor fellow's life, I can go to bed happy. So forgive me, Stanton, for I am going to pardon this boy. Give me a pencil." (Stanton hesitates. Lincoln insists commandingly.)

Stanton—"I think there is a lack of backbone here somewhere."

Lincoln—"Well, maybe so; but I don't think that shooting the boy will do him any good; besides I believe the boy will do us more good above the ground than under it. Give me that pencil. (Stanton hands him pencil and Lincoln sits and signs paper and hands it to Anne.) Here, young lady, your brother is pardoned. The dispatch will be sent at once."

Anne—"Thank you, thank you, Mr. Lincoln." (Kisses him.)

Lincoln—"Young lady, if you had started in that way with Stanton, here, you never would have had to come to me. (Anne rushes into John's arms overcome with joy.) Stanton, just see how happy it has made those two people, just signing my name, 'A. Lincoln,' to that paper."

Stanton—"But, Mr. President, that kind of work will set at naught authority and power over the army and——"

Lincoln—"I may have displeased you, my dear Mr. Secretary, by this act of clemency, but I believe in my soul I have done right. Stanton, die when I may, I should like to have it said of me that I plucked a thistle and planted a flower wherever I thought a flower would grow." (A soldier enters in haste with a telegram.)

Messenger Boy—"Telegram for Mr. Lincoln." (Hands telegram to Lincoln who opens and reads it aloud, to Stanton):

Lincoln—"A telegram from General Sherman, he wires: 'I am ready to beseige Atlanta. When it falls I will march through Georgia to the sea. The end of the war is in sight.'" (Lincoln hands telegram to Stanton and after reading they all shake hands in glee of rejoicing while the orchestra or band plays "Marching Through Georgia." After a moment or two Lincoln raises his hand to the leader and after a pause of deep silence Lincoln says: "Now play 'Dixie,' that's ours, too." As Dixie is played the CURTAIN FALLS.)

Second Curtain

Vision of LINCOLN, WASHINGTON, WILSON.

FINAL CURTAIN

THE AMERICAN REPUBLIC

ACT V

PRESIDENT WILSON'S WORLD-WAR SPEECH

(Vice-President Thomas Marshal presiding)

Mr. President—"Gentlemen of the Congress, I have called the Congress into extraordinary session because there are serious—very serious—choices of policy to be made, and made immediately.

"The extraordinary announcement of the imperial German government that it was its purpose to put aside all restraints of law or of humanity and use its submarines to sink every vessel that sought to approach either the ports of Great Britain, the western coasts of Europe, or any of the ports of the Mediterranean, was such an act that I was for a little while unable to believe would in fact be done by any civilized nation. International law had its origin in the attempt to set up some law that would be respected and observed upon the seas where lay the free highways of the world. By painful stage after stage has that law been built up, with meager results, indeed . . . but with always a clear view, at least, at what the heart and conscience of mankind demanded.

"The German government has swept aside, under plea of retaliation and necessity, all scruples of humanity . . . that were supposed to underlie the intercourse of the world. . . . Even hospital ships and ships carrying relief to the sorely bereaved and stricken people of Belgium as well as vessels of every kind, whatever their flag, or character of their cargo, have been sunk without warning.

"I am not thinking of the loss of property involved. . . . Property can be paid for; the lives of peaceful and innocent people cannot be.

"The German submarine warfare is a warfare against all nations. American ships have been sunk. American lives taken in ways that have stirred us very deeply. But the ships and peoples of other nations have been sunk in the same way. The challenge is to all mankind. Each nation must decide for itself how it will make it.

"The choice we make for ourselves must be made with moderation. . . . We must put excited feeling away. Our motive must not be revenge . . . but only the vindication of right, of human right, of which we are only a single champion. There is one choice we cannot make, we are incapable of making; we will not choose the path of submission and suffer the most sacred rights of our nation and of our people to be ignored or violated.

"With a profound sense of the solemn—tragical step I am taking in obedience to what I deem my constitutional duty:

"I advise that the Congress declare that the recent course of the imperial German government to be nothing less than war against the government and people of the United States! And that it take immediate steps and employ all its resources to bring the government of Germany to terms and end the war!

"Our object is to vindicate the principle of peace and justice in the life of the world as against the selfish and autocratic powers and set up amongst the really free and self-governed people of the world such a concert of purpose and of action as will henceforth insure the observance of those principles.

"Self-governed nations do not fill their neighbor states with spies.

"A steadfast concert for peace can never be maintained except by a partnership of democratic nations.

"No autocratic government could be trusted to keep faith within it or observe its convenants.

"THE WORLD MUST BE MADE SAFE FOR DEMOCRACY!

"Its peace must be planted upon the tested foundations of political liberty.

"We are sincere friends of the German people. . . We have no quarrel with them. We have no feelings towards them but of sympathy and friendship.

"It was not upon their impulse that their government acted in entering this war. It was a war determined as wars in the old unhappy days when peoples were nowhere consulted by their rulers and little groups of ambitious men were accustomed to use their fellow-men as pawns and tools. (We shall desire nothing so much as the early re-establishment of intimate relations of mutual advantages between the German people and us—however hard it may be for them, for the time being, to believe that this is spoken from our hearts.) We have borne with their government through all these bitter months because of that friendship—exercising a patience and forebearance which would otherwise have been impossible.

"We have no selfish ends to serve. We desire no conquest, no dominion. We are but one of the champions of the rights of mankind. We shall be satisfied when those rights have been made as secure as the faith and the freedom of nations make them.

"It is a fearful thing, gentlemen of the Congress, to lead this great peaceful people into war (into the most terrible of all wars, civilization itself seeming to be in the balance). But the right is more precious than peace and we shall fight for the things we have always carried nearest to our hearts. For DEMOCRACY, for the rights of those who submit to authority to have a voice in their own government, for the rights and liberties of small nations. For a CONCERT of free peoples that shall bring peace and safety to all nations and make the world itself at last free.

"To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other."

ACT VI

SCENE 1.

(A large Hall in some City of Europe)

Delegates from all nations meet in response to a call to consider the adoption of the Constitution of the United Nations of the World.)

SCENE 1.

The Peace Conference, Paris, France

(As a Prologue to this act a collection of gems and choice maxims taken from several authors who spoke and wrote prior to the signing of the Armistice may be given by characters representing the several nations in an imaginary convention supposed to have been called together for the purpose of adopting an International Constitution for the United World Republic.)

The President—Gentlemen of the World Convention: We have met for the purpose of forming a Union of Nations of the earth, whose object shall be to establish justice among all men and above all to form such a partnership of nations with such good will and intent of purpose that such a calamity as the world war just ended shall never be tolerated again.

The first act in the greatest tragedy in history ended with victory for the Allies and America, on the battlefield where the blood of America, with that of the Allies has commingled and streamed to every ocean of the planet. This has given every nation in this great world struggle a Declaration of Independence written in the blood of its noblest citizens.

This struggle has given the participants even more than a Declaration of Independence, it has cemented them into a Union of Confederated Nations that has brought them up to the point of forming a more per-

fect union, a fundamental law embodied in a written constitution similar to that of the United States of America.

That as the Allied Powers were organized and won by military force, the same nations under such a constitution can win self-government by following the principles of the Prince of Peace. The struggle for this victory is now on and must be far advanced toward its goal by the consummation of such a union, which shall be known under a *Written Constitution* as the UNITED NATIONS OF THE WORLD.

As the immortal Washington said in the convention that drafted the Constitution of the United States of America: "Let us adopt a Constitution that will stamp wisdom and dignity on these proceedings and hold up a light which sooner or later will have its influence. Let us raise a standard to which the wise and honest can repair. The event is with God."

The Secretary may now call the roll of Nations. (They may be seated in groups as by Continents and called upon in that order, the Nations from each Continent responding respectively.)

The Secretary:

THE CONTINENT OF EUROPE

GREAT BRITAIN. 1. ENGLAND

Let us begin with the hearts of men. We must see peace brought about not merely by agreements between nations, but a change in the hearts of men. The war has carried us down deep to the bedrock of honesty and sincerity. To secure peace in the future there must be created as a basis . . . a strong, healthy, sound PUBLIC OPINION which will see that governments are kept in order.

There must be a passion born for peace stronger than has been the passion for war. This war must be a creative power. . . . This passion for peace should

be burnt into millions of minds and hearts that this state of affairs shall never be tolerated again.—*Lord Bryce.*

2. Australia

Men, my brothers, men the workers, ever reaping something new;

That which they have done but earnest of the things that they shall do

For I dipt into the future, far as human eye could see,
Saw the vision of the world, and all the wonder that would be:

Saw the heavens fill with commerce, argosies of magic sails,

Pilots of the purple twilight, dropping down with costly bales;

Heard the heavens fill with shouting, and there rained a ghastly dew

From the nations' airy navies grappling in the central blue;

Far along the world-wide whisper of the south wind rushing warm,

With the standards of the people plunging through the thunder storm;

Till the war drum throbbed no longer, and the battle flags were furl'd

In the Parliament of man, the Federation of the world.

There the common sense of most shall hold a fretful realm in awe,

And the kindly earth shall slumber, lapt in universal law.

—*Alfred Tennyson* (1842).

3. Canada (America)

Whether the time be short or fast
  Enemies hand-in-hand
Must come together at the last
  And understand.

No matter how the die is cast
  Or who may seem to win
We know that we must love at last,
  Why not begin.

—*Witter Binner.*

4. India (Asia)

The hope of preserving peace permanently, lies not in the direction of making war physically impossible; but rather in making it spiritually impossible.

The Continent of Asia

1. Japan

The only way to find out what is best in a man is to treat him as your equal. Democracy is a better road to progress than exclusiveness.—*J. H. Tufts.*

2. China

The Ideal Democracy should be phrased: "Every other human being ought to have as good a chance as I have."—*E. H. Griggs.*

The Continent of Europe

France

This world-war has stamped into the hearts of millions of men and women an intense desire for a better order of things. . . . We know that this war is not the work of some superhuman agency. This war was man-made. Yes, worse, it was madman-made. If the

one-hundredth part of thought and energy that has been given to the war will now be given to schemes of peace—you will never see war again.—*Gen. J. G. Smuts.*

ITALY

The human race achieved Intellectual Liberty and Ecclesiastical Liberty, but now it is about to enter upon such political freedom as the world has never known—a freedom in which every man and woman will actually possess sovereign power. God grant that this war will prove to be the last armed battle for the rights of man.—*L. W. Rogers.*

BELGIUM

There is but one safeguard of Democracy, and that is to keep the good people awake and on the job all the time.—*E. H. Griggs.*

SWITZERLAND

The path of Democracy is Education. Eternal vigilance is the price of Liberty and of every good of man.

HOLLAND

Peace can never be an end. It, too, is merely a condition or means. Man for the state means Autocracy, and Imperialism. Man for Mankind is the Soul of Democracy.—*E. H. Griggs.*

POLAND

No institution can rightly serve Democracy unless it is itself Democratic—*E. H. Griggs.*

GREECE

The hope of Democracy is the instinctive power in the breast of common humanity to recognize the highest when it appears.—*E. H. Griggs.*

BRAZIL (South America)

The road to International Co-operation is International Co-operation. Begin with nations that are ready, then include all, even Germany.—*W. E. Walling.*

LIBERIA (Africa)

We must create a true spirit of Democracy, the spirit of genuine brotherhood. On the spirit of brotherhood, a new civilization shall rise in which all distinction of race, creed and conditions will be swept away and every right and every opportunity will belong to every individual, for no other reason whatever than that he is simply a human being.—*L. W. Rogers.*

UNITED STATES (North America)

We are a nation of Internationalists. We envy the progress of no nation, dominion over no people; but extend the hand of friendship to all people, great and small alike. We prepare the way for that "Federation of the World" so long foreseen and foresung.—*John Spargo.*

(A Yankee): Democracy is afflicted but at the same time blessed with pitiless publicity. It would away with "Secret Sessions" and Diplomacy. It washes all its dirty linen in public; but the main is this—it gets ts clean, b'gosh!—*E. H. Griggs* (all but the last phrase).

Let us have faith that RIGHT makes Might!—*Abraham Lincoln.*

(Close the scene by singing a stanza from the new National Hymn.)

The sun is risen and shall not set
Upon thy day divine:
Ages of unborn ages yet,
America, are thine!

ACT VI

SCENE 2.

(Any Room arranged for a Convention, in Paris, France)

Premier Clemenceau, presiding.

Woodrow Wilson, President of the United States, delivers a speech.

Mr. Chairman:

Gentlemen: Since I came to this side of the waters I have visited several nations, and everywhere the voice of the body of the people . . . is for the League of Nations.

Gentlemen, the classes of mankind are no longer the governors of mankind. The fortunes of mankind are now in the hands of the plain people of the world. Satisfy them and you have justified their confidence not only, but have established peace. Fail to satisfy them and no arrangement that you can make will either set up or steady the peace of the world.

We, the representatives of the United States, regard the League of Nations as the keynote of all that expresses our purposes and ideals in this war, and which the nations will have accepted as the basis of the settlement.

Our fellow citizens are a body that constitute a great Democracy. They expect their leaders to speak, their representatives to be their servants. We have no choice but to obey their mandates. But it is with the greatest enthusiasm and pleasure that we accept that mandate; and because this is the keynote of the whole fabric, we have pledged our every purpose to it, as we have to every item of the fabric.

We would not dare to compromise any thing as the champion of this peace of the world,—this atti-

tude of justice, this principle that we are the masters of no peoples, but are here to see that every people in the world shall choose its own destinies; not as we wish, but as it wishes.

We are here to see that the very foundations of this war are swept away. These foundations were the private choice of a small coterie of civil rulers and military staffs. Those foundations were the holding together of empires of unwilling subjects by duress of arms. Those foundations were the power of small bodies of men to wield their will and use mankind as pawns in a game. And nothing less than the emancipation of the world from these things will accomplish peace.

And I thank God that not only the representatives of the United States have accepted this plan, but it is accepted by all the high-minded men who have had to do with this great business.

And, Mr. Chairman, when it is known, as I feel confident it will be known, that we have adopted the principles of the League of Nations, and mean to work out that principle in effective action, we shall by that single thing have lifted a great part of the load of anxiety from the hearts of men everywhere.

David Lloyd George's Speech

Mr. Chairman: Gentlemen, nothing is more necessary than the League of Nations, and I commend this resolution. But I wish to mention that if the British seem not to have given much time to this question it is because they have been for the last few years absorbed in a desperate struggle.

The best arguments I found for this League of Nations, was when I passed over the war devastated regions that saw the battle-torn countryside and the graves of the dead which said, these are the results of the only methods that nations up to this time have contrived for the settlement of disputes. And I said:

"The voice of my brother's blood cries out: 'Surely it is time under God to find another way'."

PREMIER ORLANDO'S SPEECH (Italy)

Mr. Chairman: Gentlemen, we are only doing our duty and carrying out our sacred promises. On this great historical day, the Rights of the People are born.

The Chairman: Shall the Resolution in favor of adopting a plan for organizing a League of Nations be adopted? (The Motion is unanimously carried.)

(A Motion is carried for appointing a Committee to draft the Constitution for the League of Nations of the World. The curtain falls.)

The following exercise may be used at a Washington Birthday entertainment, as it was used by the students of the Wallis School of Dramatic Art in Los Angeles, on the 22nd of February, 1919.

The president of the Convention assembled addresses them as follows:

Ladies and Gentlemen: This is the brightest holiday that the sun of civilization ever shone upon.

In all the history of the human race, the world has never before beheld a day of such glory.

This memorable day calls to mind the great problems that our forefathers, with George Washington at the head, had to solve in order to draft and adopt the Constitution for the Union of the thirteen original States of the United States of America. Far more difficult were they than those that now confront the framers of the Constitution of the League of Nations.

Our fathers gave in the Constitution of the United States, a model from which the United Nations of the World can find a splendid copy.

(The following may be recited in concert, all standing):

Standing united with thirteen other nations of the earth, upon the Cornerstone of Peace which has been laid in the Covenant of the League of Nations, not elbow against elbow, but hand-in-hand; America with Europe in one hand and Asia in the other, together build a NEW CONTINENTAL CIVILIZATION.

With our backs turned forever against the God of War

We henceforth and forever face the coming of the Prince of Peace.

THE PREAMBLE

In order to promote INTERNATIONAL CO-OPERATION and to secure INTERNATIONAL PEACE and SECURITY by the acceptance of obligations not to resort to war but the prescription of open, just and honorable relations between nations by the firm establishment of the understanding of INTERNATIONAL LAW as the actual rule of conduct among governments, and the maintenance of JUSTICE and a scrupulous respect for all TREATY OBLIGATIONS in dealings of Organized Peoples with one another, the powers signatory to this COVENANT adopt this CONSTITUTION of the LEAGE OF NATIONS.

The President: If Abraham Lincoln were here today he would only need to change a few letters and phrases of that greatest of American speeches, the Gettysburg address.

Today he might say (here lights can be arranged to show Lincoln appearing from the darkness of the past and delivers the following):

Seven score and two years ago our fathers brought forth on this continent a new nation, con-

ceived in liberty, and dedicated to the proposition that all men are created equal. Now, we are engaged in a great WORLD WAR testing whether that nation or any nation so conceived, and so dedicated, can long endure.

It is for us here to be dedicated to the great task remaining before us, that from these honored dead who gave their lives that this nation might live, we take increased devotion to that cause for which they gave their last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that every nation, under God, shall have a new birth of freedom and that government of the people, by the people and for the people shall not perish from the earth.

With malice towards none; with charity for all; with firmness in the right as God gives us to see the right, let us strive on to finish the work we are now engaged in to do all which may achieve a just and lasting peace; not for our nation only, but for all nations of the earth.

CURTAIN

At the plenary session of the preliminary Peace Conference on February 14, 1919, at 3:30 o'clock, President Woodrow Wilson as Chairman of the Commission on the League of Nations read and explained the ~~following~~ Covenant.

To the foregoing six acts a supplementary act is added entitled

THE SUPREME COURT

Introductory.

If it were asked, "What great document gave our Nation birth?" the answer would be: "The Declaration of Independence, Thomas Jefferson its progenitor."

If asked what gave that other great document, the Constitution of the United States, its immortality and made our Republic superior to all others, it could as truly be said, "The Supreme Court of the United States, with Chief Justice John Marshall the leading spirit of its immortality."

The Supreme Court of the United States is a creature of our written Constitution and is unlike any other tribunal in the world. It has been termed the Balance-wheel of the machinery of our Constitutional system. No other Government provides the means for a citizen to appear in his individual person for his rights.

From the trial of one of the most distinguished citizens, a Vice-President of the United States, for the highest crime under our laws, the case of Aaron Burr for treason, to that of the most humble person (who the Court declared was not even a citizen nor endowed with rights that a white man was bound to respect because he was a negro and had been once a slave), the Dred Scott case; and in civil actions, from the trial of questions testing the fundamentals of our Constitutional Government as in the Marbury vs. Madison case to those having to do with laws impairing the obligation of individual and corporate contracts as in the Dartmouth College Case, we have the widest range and scope of jurisdiction in our Supreme Court by means of which representative Democracy has exalted our American Republic above all others that the world has hitherto known. We ourselves have not yet quite fully

appreciated, perhaps, the great value of this department of our Government.

What may be called the Declaration of Independence of the Supreme Court and made it independent as well as co-ordinate with the other departments of the government is the case of Marbury vs. Madison herewith presented in a pantomime and short-talk scene of the Supreme Court of the United States. A session of which is given as a type for the International Supreme Court of the United Nations of the World.

THE U. S. SUPREME COURT

Scene 1. The Court Room in the Capitol Building, Washington, D. C. (Stage set with Door Center back with curtains to open at a given signal. Platform with railing round it. As many chairs are placed as there are members of the Court with the Chief Justice in the Center.)

At the hour of 12 M. the Curtains are drawn aside, the Marshall, walking backwards, speaks with a loud voice: The Honorable, the Judges of the Supreme Court of the United States. (All present rise as the Judges enter, led by the Chief Justice and followed by the other Justices in order of seniority of appointment. Standing, the Chief Justice signals to the Marshall, who cries in a loud voice: "O yeaz! O yeaz! All persons having business before the honorable, the Judges of the Supreme Court of the United States are admonished to draw near and give their attendance, for the Court is now in session. God save the United States and this Honorable Court. (Judges sit and the work of the session begins.)

Chief Justice: The Clerk will announce from the Docket the next case to be argued.

The Clerk: The next case on the Docket for argument is a Mandamus case, MARBURY VS. MADISON.

Chief Justice: The Counsel for Marbury, the Plaintiff, will be heard.

Counsel for Marbury: If the Court please. The facts in this case are these: The plaintiff, Marbury, had been appointed by President John Adams to the office of Justice of the Peace for the District of Columbia, and his nomination has been confirmed by the Senate. His Commission had been made out, signed and sealed, but had not been delivered to him. When President John Adams went out of office and Thomas Jefferson became President, Jefferson's Secretary of State, James Madison, refused to deliver this Commission paper to the Plaintiff, Mr. Marbury, claiming that the Commission was not complete as it had not been delivered. President Jefferson claims that the office is still vacant, and will make another appointment.

It is to be regretted that partisan politics should enter into this case. Marbury is a Federalist appointed by a Federalist President, John Adams. Jefferson is an Anti-Federalist, a Republican-Democrat who desires to fill all appointive offices with applicants from his own party. James Madison, the Secretary of State, appointed to that position by Jefferson, of course is of the same political party and now refuses to deliver to this Plaintiff his Commission, which of right and law belongs to him. Hence this Mandamus action against Secretary Madison to compel him to deliver to the Plaintiff Marbury his Commission to enable him to discharge the duties of the office of Justice of the Peace in the District of Columbia.

Now, if the Court please, we think that when that paper was signed and sealed by the Secretary of State no further act was necessary to give Marbury a right to the office, and we submit authorities on this point for the consideration of this Court.

That the Plaintiff had a right to ask this Court for a Writ of Mandamus there can be no doubt, for the thirteenth section of the Judiciary Act, duly passed by Congress and signed by the President, gives certain parties that right.

This Government is a Representative Democracy, a Republic, a Government of the people, and when they by a majority of their representatives desire to make a law after due consideration, there should be, there can be, no power on earth given authority to unmake it. The people through their representatives make the laws in this country and neither the courts nor any other power have the right to annul or unmake what the people in their sovereign capacity have legally enacted into law.

This Judiciary Act is a law made after the Constitution and in point of time that gives it superiority to any law prior to it. It is true the Constitution does not give the Supreme Court the right to issue a Writ of Mandamus in its Original Jurisdiction, but the Judiciary Act by the 13th Section does so, and it is under this act that this action depends for its jurisdiction.

This law is the will and wish of the people and gives this plaintiff a right to a Writ of Mandamus to compel the Secretary of State, Mr. James Madison, to deliver to him his Commission and we respectfully ask this Court to grant the Writ.

Chief Justice: The Defendant's Counsel will now be heard.

Counsel for Defendant, Madison: If the Court please. We agree with Counsel for the Plaintiff that it is to be regretted that partisan politics should be referred to in this case, but of course it cannot in any way influence this honorable Court. Let it be said, however, that this case is but one of many that may be brought into this and other courts and therefore may be considered a test case.

On the fourth of March, when President Adams' Administration closed, he sat up till twelve o'clock midnight signing Commissions for officials he had appointed a few days before his term expired. All these officials were members of the Federalist party and were

to hold offices that should otherwise be filled by President Jefferson, who was the leader of the Republican-Democrat Party. This was very perplexing and obstructive to his administration. This is one of the many cases where the Commission was signed too late to be delivered to the Plaintiff, and President Jefferson considers the office vacant and will appoint one of his political party to fill this office.

Now, it is admitted that the Plaintiff cannot be capacitated to execute the duties of the office of Justice of the Peace until his Commission is delivered to him, and we claim the Defendant has a right to refuse to deliver it notwithstanding the fact that it had been signed by the President, John Adams, and sealed by his Secretary of State.

But the strong arm of defense set up in this case is that the law granting the right to this action for a Writ of Mandamus is contrary to the Constitution of the United States in that it is not one of the powers granted to that Court in its Original Jurisdiction.

The Constitution grants to this court only a limited number of Original Jurisdictional cases and this is not one of them.

The Constitution of the United States is the Supreme Law of the Land, so declared in the instrument itself. The people themselves have adopted and ratified this Constitution and they cannot by a subsequent law by an act of Congress set it aside. The Constitution of the United States is unlike that of any other. It is a written Constitution and is declared by its own terms to be the Supreme Law of the Land. In Great Britain, where they have no written Constitution, the Parliament is "omnipotent" above its constitution. The people of the United States have made their Constitution superior to any act of Congress that would conflict with it. The only way to make a law superior is by revolution or by changing it by amendment in a manner prescribed by the Constitution itself.

Therein lies the fundamental difference between the American Constitution and those of all other countries.

This Court will not proceed without precedent for there are several decisions already rendered in like cases in the several State Courts, citations to which will be made in our argument in this case.

Therefore we submit to this honorable Court that the Plaintiff has no right under the Constitution to ask this Court for this Writ of Mandamus and we ask for a decision in favor of the Defendant dismissing the action and with costs for the same.

The opinion of Chief Justice John Marshall in the Case of Marbury vs. Madison.

The Chief Justice: The question whether an act repugnant to the Constitution can become the law of the land, is a question deeply interesting to the United States.

The Constitution is either a superior paramount law, unchangeable by ordinary means, or it is on a level with ordinary legislative acts, and, like any other acts, is alterable whenever the legislature shall please to alter it.

If the former alternative is true, then a legislative act contrary to the Constitution is not law; if the latter part be true, then written Constitutions are absurd attempts on the part of the people to limit a power in its own nature illimitable.

The people have an original right to establish, for their future government, such principles as, in their opinion, shall most conduce to their own happiness, is the basis on which the whole American fabric has been erected. These principles are therefore deemed fundamental. And as the authority from which they proceed is supreme, they are designed to be permanent.

Certainly all those who have framed written Constitutions contemplate them as forming the fundamental and paramount law of the nation, and consequently, the theory of every such government must be that an act of the legislature repugnant to the Constitution is void.

This theory is essentially attached to a written Constitution, and is to be considered by this Court, as one of the fundamental principles of our society.

It is emphatically the province and duty of the Judicial Department to say what the law is. If two laws conflict with each other, the Court must decide on the operation of each. This is of the very essence of judicial duty.

The judicial power of the United States is extended to all cases arising under the Constitution.

In some cases then the Constitution must be looked into by the Judges.

For example. It is declared by the Constitution that no person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Here the language of the Constitution is addressed especially to the Courts. It prescribes directly for them a rule of evidence not to be departed from. If the legislature should change that rule, and declare one witness, or a confession out of Court, sufficient for conviction, must the constitutional principle yield to the legislative act?

From this it is apparent that the framers of the Constitution contemplated that instrument as a rule for the government of courts as well as of the legislature. Otherwise why does it direct the judges to take an oath to support it?

The oath is in these words: "I do solemnly swear that I will administer justice without respect to per-

sons, and do equal right to the poor and to the rich; and that I will faithfully and impartially discharge all the duties incumbent on me as . . . according to the best of my abilities and understanding agreeably to the Constitution and laws of the United States." Why does a judge swear to discharge his duties agreeably to the Constitution if it is closed upon him and cannot be inspected by him.

If such be the real state of things, this is worse than solemn mockery. To subscribe to or take this oath, becomes equally a crime.

It is worthy of observation that in declaring what shall be the supreme law of the land, the Constitution is the first mentioned and not the laws of the United States generally, but those only which shall be made in pursuance of the Constitution have that rank.

Thus the Constitution of the United States confirms and strengthens the principle essential to all written Constitutions that a law repugnant to the Constitution is void; and that Courts as well as other departments are bound by that instrument.

The Constitution gives this Court Original Jurisdiction only in the following cases: "In all cases affecting Ambassadors or other public ministers and consuls, and those in which a state shall be a party, the Supreme Court shall have Original Jurisdiction. (Clause 2, Section 2, Art. III.)

The 13th Section of the Judiciary Act passed by Congress purports to give this Court jurisdiction to issue Writs of Mandamus. It is not warranted by the Constitution and is therefore repugnant thereto and void, and this Court must refuse the Writ asked for.

However it is the unanimous opinion of this Court that when the Commission was signed and sealed the appointment was complete and vested in Marbury a legal right to the office. That to withhold this Commission was violative of that legal right and for this wrong

a Writ of Mandamus, if issued by a Court of competent jurisdiction, is the appropriate legal remedy.

The Clerk will call the next case.

(Curtain)

The opinion of Chief Justice Marshall for the Court in the case of Marbury vs. Madison was the first case to decide a law unconstitutional.

"This case made this Court and our system of Government unique and different from all others in the world and gave our courts the unprecedented appelation of 'the Balance-Wheel of the Government.'"—Woodrow Wilson.

Two or three other cases can be very easily arranged for scenes of trial in the Supreme Court.

The Dartmouth College case where Webster's celebrated peroration and the far reaching decision on the law relating to the OBLIGATION of CONTRACTS may be used very interestingly.

The Treason Trial of Aaron Burr or the Dred Scott case with Chief Justice Taney's decision is perhaps the most dramatic scene ever viewed in any court and can very easily be arranged from the above model.

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